

As of 5/16/01

State	Adopted and Equivalent	Adopted and More Restrictive	Not Adopted	Comments
AL	X			
AZ			X	Plan Equivalency
AR			X	
CA			X	Plan Equivalency
CO	X			
FL			X	When adopted, no 500 mrem criteria
GA			X	
IA	X			
IL	X			
KS	X			
KY	X			
LA	X			
ME	X			Proposing 10 mrem all pathway w/ separate 4 mrem groundwater pathway
MD			X	Plan Equivalency
MA			X	Non- LTR regulation restricts to 10 mrem
MS			X	
NE	X			
NV			X	
NH			X	Plan Equivalency
NM	X			
NYS DOH			X	
NY DOL			X	
NY DEC			X	
NYC DOH			X	
NC	X			
ND	X			
OH		X		Do not permit restricted release (stays under license)
OR			X	
RI			X	
SC	X			
TN			X	Per 5/16/01 TELCON w/ B. Davis, TN plans equivalency
TX	X			
UT	X			
WA	X			
OK	X			

**From:** <kwhatley@adph.state.al.us>  
**To:** <PML@nrc.gov>  
**Date:** Tue, Jan 30, 2001 10:35 AM  
**Subject:** AGREEMENT STATE LTR. SP-00-81 EVENT REPORTING UPDATE

We adopted the NRC license termination rule (criteria for license termination) with the exact requirements of Subpart E, 10 CFR Part 20. These rule revisions have been reviewed by NRC. The adopted rules are not more restrictive, they are the same.

I have gone back and checked my e-mail history and have no record of having received this request for information prior to your 1/29/01 e-mail.

----- Forwarded by Kirksey Whatley/HCS/Alabama Department of Public Health on 01/30/2001 09:19 AM -----

"Patricia  
Larkins"            To: <dturberville@adph.state.al.us>,  
<PML@nrc.gov>        <jmcness@adph.state.al.us>  
                     cc: <kwhatley@adph.state.al.us>  
01/29/2001        Subject: AGREEMENT STATE LTR. SP-00-81 EVENT  
12:49 PM            REPORTING UPDATE

**\*\* High Priority \*\***

Please take a moment and review our 1/12/01 email request that indicates that we have not received a response to the November 29, 2000 request (SP-00-081) to provide complete event reporting information for all events that occurred during 1996-2000, with emphasis on 1998-2000 events. This information forms the basis for the Strategic Plan performance goal data that will be reported to Congress. Responses were due within 30 days of the date of the letter request.

Let us know whether you have already responded to this request by providing the event information directly to the NMED contractor INEEL. If you have not updated your event information, let us when you expect to complete the event information update through FY2000.

We also indicated that we had not received a response to SP-00-83, License Termination Rule Status Summary.

Thanks.

Pat Larkins, Tel. 301-415-2309, email: PML@NRC.GOV

**CC:** <TJO@nrc.gov>

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION  
RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> <b>Arkansas Department of</b> <b>Health /Division of Radiation</b> <b>Control &amp; Emergency</b> <b>Management</b>	<b>Point of Contact/Phone</b> <b>David D. Snellings, Jr.,</b> <b>Director /501-661-2301</b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s):	<input checked="" type="checkbox"/> <b>No</b> - Please indicate the date currently scheduled for adoption: Fall, 2001. Draft regulations are in the Administrative Review process and will be adopted following public hearing and approval of the State Board of Health and the Governor.
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> <b>No</b>

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** Aubrey Godwin <agodwin@arra.state.az.us>  
**To:** "TJO@nrc.gov" <TJO@nrc.gov>  
**Date:** Thu, Dec 7, 2000 11:05 AM  
**Subject:** STP-00-083

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program Arizona / Rad. Reg. Agency	Point of Contact/Phone A.V. Godwin /602-255-4845	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s):	X_ No - Please indicate the date currently scheduled for adoption: Aug 2001
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	X_ No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** "Hamrick, Barbara (DHS-RHB)" <BHamrick@dhs.ca.gov>  
**To:** "'Thomas O'Brien'" <TJO@nrc.gov>  
**Date:** 3/23/01 12:05PM  
**Subject:** RE: License Termination Rule Survey

Tom,

Below are the summaries of the information we received. I may have received responses that did not go to all of RadRap, but I won't have time to search through those right now. Hopefully, the summary below will be sufficient. If not, let me know, and I'll try to get you the original messages sometime in the next few days.

Thirty-two states have agreements, similar to California's, with the U.S. Nuclear Regulatory Commission (NRC) to regulate the use of radioactive materials within their borders. Of these, thirteen have adopted the 25 millirem per year remediation goal into law, seven have recently reported to the NRC that they plan to adopt the goal, six have not adopted any numerical limit, one has adopted a remediation goal of 10 millirem per year (Massachusetts), and five did not respond to a recent request for information from the NRC (see NRC letter STP-00-083), nor to a request for information from the department. The remaining eighteen states are subject to the NRC's regulations, thus to the 25 millirem per year remediation goal pursuant to 10 CFR 20, Subpart E. All in all then, thirty-eight of the fifty states have adopted or plan to soon adopt the 25 millirem per year remediation goal into law.

In an informal survey of the states, nine states responded. Of these, four expressly prohibit shallow-land burial (OH, IL, MA, TX), one prohibits it without additional engineered barriers (NC), three expressly allow it (KY, NJ, WA), and one neither expressly allows or prohibits it (AZ).

Sixteen additional states are regulated by the NRC, thus subject to the regulations codified in 10 CFR 61, which are the same as those currently adopted into California law by reference in CH&SC, section 115010, and CCR, title 17, section 30470, and which do not expressly prohibit shallow-land burial. Additional time would be required to perform a comprehensive review of the remaining states' statutes and regulations, but it is plain from this limited survey that shallow-land burial is still a viable option in a significant number of states.

-----Original Message-----

From: Thomas O'Brien [mailto:TJO@nrc.gov]  
Sent: Wednesday, March 14, 2001 4:43 AM  
To: BHamrick@dhs.ca.gov  
Subject: RE: License Termination Rule Survey

Barbara-

Given our recent survey on the license termination rule, we are also interested in the results of your survey. Do you have your survey data in a summarized form that you could email to us?. If not, did you receive any responses outside of the Rad Rap listserver that you could forward.

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION  
RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> <b><u>Colorado / Radiation</u></b> <b><u>Services</u></b>	<b>Point of Contact/Phone</b> <b><u>Jake Jacobi /303.692.3036</u></b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s):	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:*	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

**The regulation, RH 4.61, can be viewed at**  
**<http://www.cdphe.state.co.us/regs/u10070104.pdf>**

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** "Tom Hill" <THill@mail.dnr.state.ga.us>  
**To:** <tjo@nrc.gov>  
**Date:** Thu, Dec 14, 2000 8:10 AM  
**Subject:** RESPONSE TO STP-00-083

Tom, see attached.

THill

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION  
RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <b>GEORGIA / RADIOACTIVE MATERIALS PROGRAM</b>	Point of Contact/Phone <b>THOMAS E. HILL /404-362-2675</b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s):	<input checked="" type="checkbox"/> No - Please indicate the date currently scheduled for adoption: <b>2001 Currently scheduled for the 3rd qtr. of the calendar year</b>
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program Illinois / Nuclear Safety	Point of Contact/Phone Kathy Allen / 217-785-9931	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): Done via licensing – we allow no terminations unless they meet 25 mrem	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:*	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

This information request has been approved by OMB 3150-0029, expiration 4/30/01. The estimated burden per response to comply with this voluntary collection request is 30 minutes. Forward any comments regarding the burden estimate to the Information and Records Management Branch (T-6 F33), 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.

Telecopy Message



Iowa Department of Public Health

Radioactive Materials Section  
 Bureau of Radiological Health  
 Iowa Department of Public Health  
 Lucas State Office Building  
 Des Moines, Iowa 50319

Date: 12/13/00

To: Thomas O'Brien

FAX NO.: (301) 415-3502

FROM: GEORGE F. JOHNS, JR.

Number of pages sent following this cover sheet: 1

Special instructions or comments:

Greetings-

Attached is the response to the Inquiry concerning radiological criteria for license termination.

Regards,

George

TELEPHONE NO.: (515) 725-0307

FAX NO.: (515) 725-0318

e-mail: gjohns@idph.state.ia.us

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <u>IOWA /</u>	Point of Contact/Phone <u>George Johns 1(515)725-0307</u>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): <u>641-40.28 thru 40.32</u>	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** <TConley@kdhe.state.ks.us>  
**To:** <tjo@nrc.gov>  
**Date:** Fri, Dec 8, 2000 12:24 PM  
**Subject:** STP-00-083

-----  
Name of State/Program	Point of	
Kansas / \_\_\_\_\_	Contact/Phone	
	Vick	
	Cooper/785-296-1561	
-----

Has your State adopted	Yes - Please	No - Please	
a regulation or	identify the rule	indicate the date	
legally binding	section(s):RATS	currently scheduled	
requirement compatible	1997-6	for adoption:	
with the NRC's LTR?	Currently		
	implemented by		
	generic legally		
	binding documents		
	upon request for		
	termination.		

-----  
Does your State	Yes - Please	No	
regulation or legally	indicate what the		
binding requirement	differences are:\*		
contain dose criteria			
that are more			
restrictive than NRC's			
LTR?			
-----

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

**CC:** <vcooper@kdhe.state.ks.us>

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> Kentucky / Radiation Health and Toxic Agents Branch	<b>Point of Contact/Phone</b> John A. Volpe, Ph.D/502- 564-7818 ext.3692	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): 902 KAR 100:042	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed. <http://www.lrc.state.ky.us/KAR/titles.htm>

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502



**State of Louisiana**  
**Department of Environmental Quality**  
**PERMITS DIVISION**  
**REGISTRATIONS AND CERTIFICATIONS SECTION**

---

**COVER SHEET**  
**FAX TRANSMISSION FORM**

Transmittal Date:      January 16, 2001

To:    Thomas O' Brien

Fax Telephone #   (301) 415-3502  

Telephone #   (301) 415-2308  

From:   Mary Haik  

---

P. O. Box 82135  
Baton Rouge, LA 70884-2135  
or  
7290 Bluebonnet Drive  
Baton Rouge, LA 70884

Fax Telephone # (225) 765-0220  
Business Telephone # (225) 765-2702  
or (225) 765-0143

Transmission includes this cover sheet plus the following   4   page(s).

**Special Instructions:**

Mr. O'Brien,

Following is our response to the STP- 083 as well as a copy of our LTR and the website where our LTR can be directly accessed. If you have any questions, please feel free to contact me via phone or email ([maryh@deq.state.la.us](mailto:maryh@deq.state.la.us)).

---

(STP-00-083, December 2000, Technical, License Termination Rule)

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program _____ / _____	Point of Contact/Phone _____ / _____	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s):  LAC 33: XV. 332	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No We have the same dose criteria.

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

This information request has been approved by OMB 3150-0029, expiration 4/30/01. The estimated burden per response to comply with this voluntary collection request is 30 minutes. Forward any comments regarding the burden estimate to the Information and Records Management Branch (T-6 F33), 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.

*IRAI*

Frederick C. Combs, Deputy Director  
Office of State and Tribal Programs

ii. displaying the radiation symbol described in LAC 33:XV.422 ~~A-1450.A~~ and the words, "CAUTION, RADIOACTIVE MATERIAL," and "Not for Internal or External Use in Humans or Animals."

\* \* \*

[See Prior Text in H.1.d-M.4.g]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2092 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2571 (November 2000), LR 26:

**§332. Expiration and Termination of Licenses and Decommissioning of Sites and Separate Buildings or Outdoor Areas**

\* \* \*

[See Prior Text in A-D.1.e]

i. report levels of radiation in units of milliroentgens per hour of beta and gamma radiation at 1 centimeter and gamma radiation at 1 meter from surfaces and report levels of radioactivity, including alpha, in units of transformations per minute (or microcuries) per 100 square centimeters removable and fixed on surfaces, microcuries per milliliter in water, and picocuries per gram in contaminated solids such as soils or concrete; and

ii. specify the instrumentation used and certify that each instrument was properly calibrated and tested; and

iii. consider a site to be acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a TEDE to an average member of the critical group that does not exceed 25 mrem (0.25 mSv) per year, including that from groundwater sources of drinking water, and the residual radioactivity has been reduced to levels that are as low as reasonably achievable (ALARA). Determination of the levels that are ALARA must take into account consideration of any detriments, such as deaths from transportation accidents, expected to potentially result from decontamination and waste disposal.

\* \* \*

[See Prior Text in D.2-E.2]

AUTHORITY NOTE: Promulgated in accordance with R.S. 30:2104 et seq.

HISTORICAL NOTE: Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), repealed and repromulgated by the Office of Air

FINAL RULE/DECEMBER 20, 2000

NE023\*

Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended LR 24:2094 (November 1998), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2571 (November 2000), LR 26:

### **Subchapter E. Reciprocity**

#### **•390. Reciprocal Recognition of Licenses**

A. Subject to these regulations, any person who holds a specific license from the U.S. Nuclear Regulatory Commission, any other agreement state, or any licensing state and issued by the agency having jurisdiction where the licensee maintains an office for directing the licensed activity and at which radiation safety records are normally maintained, is hereby granted a general license to conduct the activities authorized in such licensing document within this state, except in areas of exclusive federal jurisdiction, for any period of time deemed appropriate by the department provided that the following conditions are met:

\* \* \*

[See Prior Text in A.1-C]

**AUTHORITY NOTE:** Promulgated in accordance with R.S. 30:2104 et seq.

**HISTORICAL NOTE:** Promulgated by the Department of Environmental Quality, Nuclear Energy Division, LR 13:569 (October 1987), repealed and repromulgated by the Office of Air Quality and Radiation Protection, Radiation Protection Division, LR 18:34 (January 1992), amended by the Office of Environmental Assessment, Environmental Planning Division, LR 26:2574 (November 2000), LR 26:

**From:** Jay Hyland <Jay.Hyland@state.me.us>  
**To:** <TJO@nrc.gov>  
**Date:** 3/16/01 5:38PM  
**Subject:** Re: Responses to STP 081 and 083

Hello Tom,  
Sorry about all of this.

Regarding STP 081:

Yes we have sent in ALL our data to NMED. The case numbers are: ME010001; ME010005; ME010006; ME010007; and ME010008. This includes fiscal years 1996-2000.

Regarding STP 083

State: Maine  
Program: Radiation Control Program  
Point of Contact: Jay Hyland  
Phone: 207-287-5677

We have adopted an LTR compatible regulation.

Presently the Maine regulation sets a 25 mrem all pathway radiological dose standard. We have presently proposed to change that particular dose criteria however. The comment period ended on our new proposed rules on February 26, 2001. The new proposed dose criterion is a 10 mrem all pathway with a separate 4 mrem EDE dose from the groundwater pathway. This change will require all the other licensees in the State of Maine to clean up their licensed facility to the same standards that Maine Yankee has offered to clean up to.

If you have any questions please feel free to give me a call or respond to this e-mail.

Thanks,  
Jay Hyland

**From:** Salifu Dakubu <sdakubu@world.std.com>  
**To:** "Thomas O'Brien" <TJO@nrc.gov>  
**Date:** Tue, Jan 2, 2001 10:57 AM  
**Subject:** License Termination Rule

Tom,

Below, in the attachment, is the information you requested. We had this regulation in place several years before the NRC regulation. We would prefer not to revisit it at this time.

Regards

Salifu Dakubu

**CC:** Bob Hallisey <bob.hallisey@state.ma.us>

<b>Name of State/Program</b> <b>_Massachusetts_ /</b> <b>Department of Public Health</b> <b>Radiation Control Program</b>	<b>Point of Contact/Phone</b> <b>Salifu Dakubu /(617)</b> <b>729-6214</b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s): <b>105 CMR 120.291</b> (see below)	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are: <b>10 mrem/yr unrestricted release cf. 25 mrem NRC</b>	<input type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

#### 120.291: Vacating Premises

Each licensee, registrant, or person possessing non-exempt sources of radiation shall, no less than 30 days before vacating or relinquishing possession or control of premises which may have been contaminated with radioactive material as a result of his activity, notify the Agency, in writing, of the intent to vacate. When deemed necessary by the Agency, the licensee, registrant, or person possessing non-exempt sources of radiation shall decontaminate the premises in such a manner that the annual total effective dose equivalent (TEDE) to any individual after the site is released for unrestricted use should not exceed ten millirem above background and that the annual TEDE from any specific environmental source during decommissioning activities not exceed ten millirem above background.

(STP-00-083, December 2000, Technical, License Termination Rule)

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <i>MS / MS State Dept. Health</i>	Point of Contact/Phone <i>Bob Goff / 601 987-6893</i>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s):	<input checked="" type="checkbox"/> No - Please indicate the date currently scheduled for adoption: <i>April 2001</i>
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:*	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** <trudy.hill@hhss.state.ne.us>  
**To:** <KPH@nrc.gov>  
**Date:** Mon, Feb 5, 2001 2:17 PM  
**Subject:** STP-00-83 response

This is in response to STP-00-83.

Name of State/ Program: **Nebraska** Radioactive Material Program

Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR? Yes Chapter 1 Section 4.16 - 4.21

Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR? No

Our regulations are located at <http://www.hhs.state.ne.us/reg/t180.htm> - in Section 4.16 - 4.21

If you have any questions please feel free to contact me. Thanks!

Trudy K. Hill  
Radiological Health Specialist  
Radioactive Materials Program  
P.O. Box 95007  
Lincoln, NE 68509  
(402)471-0560 FAX (402)471-0169  
trudy.hill@hhss.state.ne.us

**CC:** <marysue.semerena@hhss.state.ne.us>, <julia.schmit...

**From:** "Larry Boschult" <LBOSCHULT@bhps.state.nv.us>  
**To:** <kph@nrc.gov>  
**Date:** Tue, Feb 6, 2001 6:37 PM  
**Subject:** STP-00-083

We have not adopted the equivalent of 62 39058 yet but plan to adopt this and other regulations before the end of this calendar year. We're planning on adoption by September, 2001.

Here is our regulation which may be the answer to the second question in the letter:

NAC 459.085 "Released for unrestricted use" defined. "Released for unrestricted use" means:

1. When applied to restricted areas on land or in facilities such as buildings, that all radioactive materials have been removed until the only radiation remaining is background radiation, and that after the division has given its approval, the area is no longer restricted; or
2. When applied to equipment such as tools or vehicles in a restricted area, that all radioactive material has been removed from the equipment, so that the equipment may be released from the restricted area.

Larry Boschult

\*\*\*\*\*

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error please notify the system manager.

This footnote also confirms that this email message has been swept by MIMESweeper for the presence of computer viruses.

[www.mimesweeper.com](http://www.mimesweeper.com)

\*\*\*\*\*

**From:** <DO'Dowd@dhhs.state.nh.us>  
**To:** "Kevin Hsueh" <KPH@nrc.gov>  
**Date:** 2/26/01 2:15PM  
**Subject:** Re: Fwd: Response to STP-00-081&083

Kevin,

(1) RE: SP-00-081: We have been remiss of late in our NMED reporting, perhaps by two years, due to the loss of staff members who were responsible for handling this particular task. It is our hope that within the next few months we can resume this function, but we do ask for your assistance in providing the necessary training to the individual(s) that we would assign to perform it.

It is important to note that we have had no "significant" events that have occurred in New Hampshire during that period. In fact, most of the events that have occurred have involved naturally occurring or accelerator-produced radioactive materials.

(2) RE: SP-00-083: New Hampshire has not adopted a regulation equivalent to 10 CFR 20, Subpart E, "Radiological Criteria for License Termination." It is our intent to adopt an equivalent rule by the end of 2001.

Our equivalent to 10 CFR 20 in the New Hampshire Rules for the Control of Radiation however does contain limits for surface contamination along with ALARA requirements which may be in some respects more restrictive than the dose-based criteria set out in Subpart E, and these along with our requirements set out in our equivalent to Part 30 certainly provide a very sound basis for termination of radioactive material licenses that adequately protects the public health and safety.

Dennis O'Dowd, Supervisor  
Radioactive Material Section  
Bureau of Radiological Health  
New Hampshire Department of Health and Human Services  
Tel. No. 603-271-4585

(STP-00-083, December 2000, Technical, License Termination Rule)

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <i>New Mexico</i>	Point of Contact/Phone <i>Bill Floyd</i>	<i>(505) 827-1862</i>
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): <i># 318</i>	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502



# THE CITY OF NEW YORK DEPARTMENT OF HEALTH

Rudolph W. Giuliani  
Mayor

Neal L. Cohen, M.D.  
Commissioner

**Office of Radiological Health  
2 Lafayette St., 11<sup>th</sup> floor  
New York, NY 10007**

**(212) 676-1570  
(212) 676-1548 (fax)  
e-mail: [tlickerm@nyc.health.gov](mailto:tlickerm@nyc.health.gov)**

01/25/01

To: Thomas O'Brien, U.S. Nuclear Regulatory Commission

From: Name of State/Program - New York City Office of Radiological Health

Point of Contact: Tobias A. Lickerman, Head of Radioactive Materials Division *Fad*

Re: STP-00-083 License Termination Rule

The NYC Office of Radiological Health has not yet adopted a regulation or legally binding requirement compatible with the NRC's LTR. We have not commenced rulemaking, and do not currently have an expected date of adoption.

Any LTR which will be adopted by the NYC Office of Radiological Health will be promulgated to be consistent with conditions established by the New York State Department of Environmental Conservation and the New York State Bureau of Environmental Radiation Protection.

01 JAN 26 PM 3:50

OSP

**From:** "Stephen M. Gavitt" <smg03@health.state.ny.us>  
**To:** <adw@nrc.gov>, <kxs@nrc.gov>  
**Date:** Thu, Feb 1, 2001 3:08 PM  
**Subject:** SP-00-081 & 00-083

Sorry for the delay.

SP-00-081 all of our incidents/events including some that are not reportable have been submitted to NRC. In the past, we have submitted a full year's worth in one batch to Pat Larkins.

SP-00-083 we do not have a license termination rule and before we would adopt this rule we would consult with NYS DEC to resolve any difference there may be with their technical guidance on residual contamination.

If you have nay questions, please contact me. Steve Gavitt

**From:** "Bradt, Clayton" <USCCJB@labor.state.ny.us>  
**To:** "TJO@NRC.GOV" <TJO@nrc.gov>  
**Date:** Fri, Dec 15, 2000 3:59 PM  
**Subject:** STP-00-083

Attached is our response to STP-00-083 re: LTR

Clayton J. Bradt, CHP  
Principal Radiophysicist  
NYS Dept. of Labor  
Radiological Health Unit

<<STP-00-083Response.doc>>

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <b>New York State / Dept. of Labor</b>	Point of Contact/Phone <b>Clayton Bradt/518-457-1202</b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input type="checkbox"/> Yes - Please identify the rule section(s):	<input checked="" type="checkbox"/> No - Please indicate the date currently scheduled for adoption: <b>8/2001</b>
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502



**From:** "Barbara Youngberg" <bayoungb@gw.dec.state.ny.us>  
**To:** <smg03@health.state.ny.us>, <adw@nrc.gov>, <kxs@nrc.gov>  
**Date:** Mon, Jan 22, 2001 2:50 PM  
**Subject:** Responses to SP-00-081 and 083

I apologize for our being late with these responses:

SP-00-081 asked about our reporting of incidents and events. Since almost all reportable events involve licensed material, the NYS licensing agencies report them to NMED. If unlicensed material were involved in a reportable event, we would work with the State Health Department in responding to the event and in reporting it.

SP-00-083 asked whether we had adopted a regulation or legally binding requirement compatible with the NRC's LTR. No, we have not. We do not currently have an expected date for adoption. We have not yet initiated the rulemaking process.

**CC:** "Paul Merges" <pjmerges@gw.dec.state.ny.us>, <jps@nyserda.org>

**From:** Robin Haden <robin.haden@ncmail.net>  
**To:** Patricia Larkins <PML@nrc.gov>  
**Date:** 3/29/01 4:55PM  
**Subject:** Re: AGREEMENT STATE LTR STP-00-83 LTR SURVEY

Pat,

We probably didn't answer this directly since we had just completed our IMPEP review and were found adequate and compatible. This effort would be simply duplicative of all of the work we did for the IMPEP, which was subsequently reviewed by the NRC. I would think this information should have been readily available. That notwithstanding, our regulations are available at [www.drp.enr.state.nc.us](http://www.drp.enr.state.nc.us). Our rule has been effective since 04/01/1999. My apologies for the oversight.

Robin Haden, Chief  
Radioactive Materials Section  
NC Division of Radiation Protection

Patricia Larkins wrote:

>  
> Please take a moment and review the attached All Agreement State Letter sent out in December 2000 requesting information on the License Termination Rule status. We have not received your comments which were due within 30 days of the date of the letter request.  
> Thanks.  
>  
> -----  
> Name: SP00-83.wpd  
> SP00-83.wpd Type: WINWORD File (application/wordperfect5.1)  
> Encoding: base64  
> Description: WordPerfect 6.1

**CC:** <mike.broderick@deqmail.state.ok.us>, <jgraves2@mail.state.tn.us>, "Thomas O'Brien" <TJO@nrc.gov>

(STP-00-083, December 2000, Technical, Lic  
December 7, 2000

Post-it® Fax Note	7671	Date	1/12/2001	# of pages	8
To	Thomas O'Brien		From Jim Killingbeck		
Co./Dept.	NRC		Co. ND Dept. of Health		
Phone #	301.415.2308		Phone # 701.328.5188		
Fax #	301.415.3502		Fax # 701.328.5200		

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program <u>North Dakota</u>	Point of Contact/Phone <u>Jim Killingbeck (701) 328-5188</u>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): <u>33-10-04.1-18</u>	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

<http://www.health.state.nd.us/ndhd/environ/ee/rad/radrules/content.htm>

# North Dakota Radiological Health Rules

## Section 33-10-04.1-18

### **33-10-04.1-18. Radiological criteria for decommissioning.**

#### **1. General provisions.**

- a. The criteria in this section apply to the decommissioning of licensed facilities.
- b. The criteria in this section do not apply to sites which:
  - (1) Have been decommissioned prior to January 1, 1997, and met the criteria identified in the United States nuclear regulatory commission's action plan to ensure timely cleanup of site decommissioning management plan sites in 57 FR 13389; April 16, 1992;
  - (2) Have previously submitted and received department approval on a decommissioning plan that is compatible with the criteria identified in the United States nuclear regulatory commission's action plan to ensure timely cleanup of site decommissioning management plan sites in 57 FR 13389; April 16, 1992; or
  - (3) Submit a sufficient license termination plan or decommissioning plan before January 1, 1999, and such license termination plan or decommissioning plan is approved by the department before January 1, 2000, and in accordance with the criteria identified in the United States nuclear regulatory commission's action plan to ensure timely cleanup of site decommissioning management plan sites in 57 FR 13389; April 16, 1992. If an environmental impact statement is required in the submittal, and if, because of the environmental impact statement, the department cannot approve the plan before January 1, 2000, then the department may grant an extension.
- c. After a site has been decommissioned and the license terminated in accordance with the criteria in this section, the department will require additional cleanup only if, based on new information, it determines that the criteria of this section were not met and residual

radioactivity remaining at the site could result in significant threat to public health and safety.

- d. When calculating total effective dose equivalent to the average member of the critical group, the licensee shall base estimates on the greatest annual total effective dose equivalent dose expected within the first one thousand years after decommissioning. Estimates must be substantiated using actual measurements to the maximum extent practical.
2. **Radiological criteria for unrestricted use.** A site will be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a total effective dose equivalent to an average member of the critical group that does not exceed twenty-five hundredths millisievert [25 millirem] per year, including that from ground water sources of drinking water, and the residual radioactivity has been reduced to levels that are as low as reasonably achievable. Determination of the levels which are as low as reasonably achievable shall take into account consideration of any detriments, such as loss from transportation accidents, expected to potentially result from decontamination and waste disposal.
  3. **Criteria for license termination under restricted conditions.** A site will be considered acceptable for license termination under restricted conditions if:
    - a. The licensee can demonstrate that further reductions in residual radioactivity necessary to comply with the provisions of subsection 2 would result in net public or environmental harm or were not being made because the residual levels associated with restricted conditions are as low as reasonably achievable. Determination of the levels which are as low as reasonably achievable shall take into account consideration of any detriments, such as loss from transportation accidents, expected to potentially result from decontamination and waste disposal;
    - b. The licensee has made provisions for legally enforceable institutional controls that provide reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group will not exceed twenty-five hundredths millisievert [25 millirem] per year;
    - c. The licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site, to assume and carry out responsibilities for any necessary control and maintenance

of the site. Acceptable financial assurance mechanisms are:

- (1) Funds placed into an account segregated from the licensee's assets and outside the licensee's administrative control as described in chapter 33-10-03;
  - (2) Surety method, insurance, or other guarantee method as described in chapter 33-10-03;
  - (3) A statement of intent in the case of federal, state, or local government licensees, as described in chapter 33-10-03; or
  - (4) When a governmental entity is assuming custody and ownership of a site, an arrangement that is deemed acceptable by such governmental entity;
- d. The licensee has submitted a decommissioning plan or license termination plan to the department indicating the licensee's intent to decommission in accordance with chapter 33-10-03, and specifying that the licensee intends to decommission by restricting use of the site. The licensee shall document in the license termination plan or decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated, as appropriate, following analysis of that advice. Licensees proposing to decommission by restricting use of the site shall seek advice from such affected parties regarding the following matters concerning the proposed decommissioning:
- (1) Whether provisions for institutional controls proposed by the licensee;
    - (a) Will provide reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group will not exceed twenty-five hundredths millisievert [25 millirem] total effective dose equivalent per year;
    - (b) Will be enforceable; and
    - (c) Will not impose undue burdens on the local community or other affected parties;
  - (2) Whether the licensee has provided sufficient financial assurance to enable an independent third party, including a governmental custodian of a site,

to assume and carry out responsibilities for any necessary control and maintenance of the site;

(3) In seeking advice on the issues identified in this subdivision, the licensee shall provide for:

(a) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;

(b) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(c) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues; and

e. Residual radioactivity at the site has been reduced so that if the institutional controls were no longer in effect, there is reasonable assurance that the total effective dose equivalent from residual radioactivity distinguishable from background to the average member of the critical group is as low as reasonably achievable and would not exceed either:

(1) One millisievert [100 millirem] per year; or

(2) Five millisieverts [500 millirem] per year provided the licensee:

(a) Demonstrates that further reductions in residual radioactivity necessary to comply with the one millisievert [100 millirem] per year value of paragraph 1 are not technically achievable, would be prohibitively expensive, or would result in net public or environmental harm;

(b) Makes provisions for durable institutional controls; and

(c) Provides sufficient financial assurance to enable a responsible government entity or independent third party, including a governmental custodian of a site, both to carry out periodic rechecks of the site no less frequently than every five years to assure that the institutional controls remain in place as necessary to meet the criteria of subdivision b and to assume and carry out responsibilities for

any necessary control and maintenance of those controls. Acceptable financial assurance mechanisms are those in subdivision c.

4. **Alternate criteria for license termination.** The department may terminate a license using alternate criteria greater than the dose criterion of subsection 2, subdivision b of subsection 3, or paragraph 1 of subdivision d of subsection 3, if the licensee:
- a. Provides assurance that public health and safety would continue to be protected, and that it is unlikely that the total dose from all manmade sources combined, other than medical, would be more than the one millisievert [100 millirem] per year limit of section 33-10-04.1-07 would be unlikely, by submitting an analysis of possible sources of exposure;
  - b. Has employed to the extent practical restrictions on site use according to the provisions of subsection 3 in minimizing exposures at the site;
  - c. Reduced doses to as low as is reasonably achievable levels. Determination of the levels which are as low as reasonably achievable shall take into account consideration of any detriments, such as loss from transportation accidents, expected to potentially result from decontamination and waste disposal;
  - d. Has submitted a decommissioning plan or license termination plan to the department indicating the licensee's intent to decommission in accordance with subsection 8 of section 33-10-03-05 and specifying that the licensee proposes to decommission by use of alternate criteria. The licensee shall document in the decommissioning plan or the license termination plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and incorporated as appropriate, following analysis of that advice. In seeking such advice, the licensee shall provide for:
    - (1) Participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;
    - (2) An opportunity for a comprehensive, collective discussion on the issues by the participants represented; and
    - (3) A publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the

issues and the extent of agreement and disagreement among the participants on the issues; and

- e. The use of alternate criteria to terminate a license requires the approval of the department after addressing any comments provided by the United States environmental protection agency, the United States nuclear regulatory commission, and any public comments submitted pursuant to subsection 5.
5. **Public notification and public participation.** Upon the receipt of a license termination plan or decommissioning plan from the licensee, or a proposal by the licensee for release of a site pursuant to subsection 3 or 4, or whenever the department deems such notice to be in the public interest, the department shall provide opportunity for public comment. Public comment procedures shall include the following:
- a. Notice shall be given by publication in a newspaper of general circulation in the area where the license is located or in a state publication designed to give public notice; to persons on a mailing list developed by the department, including those who request in writing to be on the list; and by other means if necessary to assure adequate notice of the affected public. Notice shall be made to the United States environmental protection agency for cases where the licensee proposes to release a site pursuant to subsection 4;
  - b. The notice shall identify the affected facility; the name and address of the licensee; the name and address of the department; a brief description of the plan; the name, address, and telephone number of a person from whom interested persons may obtain additional information, including copies of the plan, all relevant supporting materials, and all other materials available to the department that are relevant to the decision; a brief description of the comment procedures required by this subsection; and the time and place of any hearing that may be held, including a statement of procedures to request a hearing, unless a hearing has already been scheduled;
  - c. The department shall provide at least thirty days for public comment and shall give notice of any public hearing at least thirty days in advance of the hearing; and
  - d. The department shall keep a record of the commenters and also of the issues raised during the public participation process. These record shall be available to the public.
6. **Minimization of contamination.** Applicants for licenses, other than renewals, shall describe in the application how facility design and procedures for operation will minimize, to the

extent practical, contamination of the facility and the environment, facilitate eventual decommissioning, and minimize, to the extent practical, the generation of radioactive waste.

**History:** Effective May 1, 1998.

**General Authority:** NDCC 23-20.1-04

**Law Implemented:** NDCC 23-20.1-03, 23-20.1-04, 23-20.1-04.1

Department of Environmental Quality

707 N. Robinson, Oklahoma City, Oklahoma 73102

Land Protection Division



O K L A H O M A  
DEPARTMENT OF ENVIRONMENTAL QUALITY

Date: 3-28-01

Number of pages including cover sheet: 2

To: THOMAS O'BRIEN

Phone: 301-415-2308

Fax phone: 301-415-3502

CC:

From: MIKE BRODERICK  
Land Protection  
Division

Phone: (405)702-5100

Fax phone: (405)702-5101

REMARKS:  Urgent  For your review  Reply ASAP  Please comment

(STP-00-083, December 2000, Technical, License Termination Rule)  
December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE  
TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program

OKLAHOMA/ DEQ

Point of Contact/Phone

MIKE BRADBECK 405-702-5100

Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?

Yes - Please identify the rule section(s): OAC 252:410-20-1(c)(5)

No - Please indicate the date currently scheduled for adoption:

Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?

Yes - Please indicate what the differences are:

No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed. WWW.DEQ.STATE.OK.US/RULES/410.PDF

We thank you in advance for your response. We ask that you respond within 30 days from the

date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien INTERNET: TJO@NRC.GOV

TELEPHONE: (301) 415-2308 FAX: (301) 415-3502

STP-00-083 -2- December 7, 2000

State of Oregon  
Health Division  
Radiation Protection Services  
(503)731-4014  
FAX: (503)731-4081



**FAX**

This fax may contain confidential information. If you receive this FAX in ERROR, would you please take a moment to call us?  
Thank you.

DATE: 1/9/01

TO: Thomas O'Brien - NRC

FROM: TERRY LINDSEY, Oregon RML mgr

PAGES (including this cover page): 2

Message: Mr O'Brien - This Draft Rule is Complete

and available for your review during the 1/25/01 scheduled

visit. We just completed the filling of our second

inspector position on 12/19/00 and we now at full staff-

We look forward to your visit-

*Terry Lindsey*

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION  
RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

Name of State/Program	Point of Contact/Phone	
OR 1 RAS	Terry Linker 1503-731-4014	(X669)
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): <i>(Partial)</i> OAR 333-102-310	<input checked="" type="checkbox"/> No - Please indicate the date currently scheduled for adoption: By 10/1/2001 (DRAFT Available)
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

December 7, 2000

ALL AGREEMENT STATES  
MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> <b><u>South Carolina/DHEC</u></b>	<b>Point of Contact/Phone</b> <b><u>Henry Porter / (803)</u></b> <b><u>896-4245</u></b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s):	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
FAX: (301) 415-3502

**From:** Ruth McBurney <Ruth.McBurney@tdh.state.tx.us>  
**To:** "JHM@nrc.gov" <JHM@nrc.gov>  
**Date:** Fri, Jan 12, 2001 11:24 AM  
**Subject:** FW: Texas License Termination Rule

> -----Original Message-----

> From: Ruth McBurney  
> Sent: Monday, December 11, 2000 11:37 AM  
> To: 'TJO@NRC.gov'  
> Cc: Richard Ratliff; Cindy Cardwell  
> Subject: Texas License Termination Rule

>  
> Attached is the completed survey form on the Texas Dept. of Health's  
> license termination rule and an electronic copy of the rule itself.  
>  
> Feel free to contact me if you need more information.  
>  
> Ruth McBurney  
> Bureau of Radiation Control  
> TX Dept. of Health <<TXTERMRU.WPD>> <<202(ddd).wpd>>

**CC:** Richard Ratliff <Richard.Ratliff@exch.tdh.state.tx...

December 7, 2000

ALL AGREEMENT STATES  
 MINNESOTA, PENNSYLVANIA, WISCONSIN

**TECHNICAL INFORMATION: REQUEST FOR THE STATUS OF THE LICENSE TERMINATION RULE (STP-00-083)**

In July 1997, the Nuclear Regulatory Commission (NRC) promulgated its final rule establishing radiological criteria for license termination (10 CFR Part 20, Subpart E, "Radiological Criteria for License Termination (LTR)," Federal Register, Vol. 62, p. 39058, July 21, 1997). This rule codified radiological criteria for the unrestricted and restricted release of land and structures or buildings with residual levels of radioactive contamination upon license termination.

At the Organization of Agreement States Annual meeting, conducted October 2-4, 2000, we discussed the need to obtain information from each Agreement State with respect to their status on the LTR. Specifically, we would like to know whether you have adopted dose criteria that are more restrictive than the criteria in the NRC LTR. Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> ___TX___ /Dept. of Health_____	<b>Point of Contact/Phone</b> Ruth McBurney_ /512-834-6689	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	X_ Yes - Please identify the rule section(s): §289.202(ddd)	___ No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	___ Yes - Please indicate what the differences are:	_X_ No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

We thank you in advance for your response. We ask that you respond within 30 days from the date of this request. If you have any questions, please contact the individual below.

POINT OF CONTACT: Thomas O'Brien  
 TELEPHONE: (301) 415-2308

INTERNET: TJO@NRC.GOV  
 FAX: (301) 415-3502

25 Texas Administrative Code §289.202(ddd)

(ddd) Radiological requirements for license termination.

(1) General provisions and scope.

(A) The requirements in this section apply to the decommissioning of facilities licensed in accordance with §289.252 of this title (relating to Licensing of Radioactive Material), §289.254 of this title (relating to Licensing of Radioactive Waste Processing and Storage Facilities), §289.255 of this title (relating to Radiation Safety Requirements and Licensing and Registration Procedures for Industrial Radiography), and §289.258 of this title (relating to Licensing and Radiation Safety Requirements for Irradiators). The requirements do not apply to uranium recovery and byproduct material disposal facilities already subject to the requirements of §289.260 of this title (relating to Licensing of Uranium Recovery and Byproduct Material Disposal Facilities).

(B) The requirements in this section do not apply to the following:

(i) sites that have been decommissioned prior to October 1, 2000, in accordance with requirements identified in this section and in §289.252 of this title; or

(ii) sites that have previously submitted and received approval on a decommissioning plan by October 1, 2000.

(C) After a site has been decommissioned and the license terminated in accordance with the requirements in the subsection, the agency will require additional cleanup if it determines that the requirements of the subsection were not met and residual radioactivity remaining at the site could result in significant threat to public health and safety.

(D) When calculating TEDE to the average member of the critical group, the licensee shall determine the peak annual TEDE dose expected within the first 1,000 years after decommissioning.

(2) Radiological requirements for unrestricted use. A site will be considered acceptable for unrestricted use if the residual radioactivity that is distinguishable from background radiation results in a TEDE to an average member of the critical group that does not exceed 25 mrem (0.25 mSv) per year, including that from groundwater sources of drinking water, and the residual radioactivity has been reduced to levels that are ALARA. Determination of the levels that are ALARA must take into account consideration of any detriments, such as deaths from transportation accidents, expected to potentially result from decontamination and waste disposal.

25 Texas Administrative Code §289.202(ddd)

(3) Alternate requirements for license termination.

(A) The agency may terminate a license using alternate requirements greater than the dose requirements specified in paragraph (2) of this subsection if the licensee does the following:

(i) provides assurance that public health and safety would continue to be protected, and that it is unlikely that the dose from all man-made sources combined, other than medical, would be more than the 1 mSv per year (100 mrem per year) limit specified in subsection (o) of this section, by submitting an analysis of possible sources of exposure;

(ii) reduces doses to ALARA levels, taking into consideration any detriments such as traffic accidents expected to potentially result from decontamination and waste disposal; and

(iii) has submitted a decommissioning plan to the agency indicating the licensee's intent to decommission in accordance with the requirements in §289.252(l)(7) of this title, and specifying that the licensee proposes to decommission by use of alternate requirements. The licensee shall document in the decommissioning plan how the advice of individuals and institutions in the community who may be affected by the decommissioning has been sought and addressed, as appropriate, following analysis of that advice. In seeking such advice, the licensee shall provide for the following:

(I) participation by representatives of a broad cross section of community interests who may be affected by the decommissioning;

(II) an opportunity for a comprehensive, collective discussion on the issues by the participants represented; and

(III) a publicly available summary of the results of all such discussions, including a description of the individual viewpoints of the participants on the issues and the extent of agreement and disagreement among the participants on the issues.

(B) The use of alternate requirements to terminate a license requires the approval of the agency after consideration of the agency's recommendations that will address any comments provided by the EPA and any public comments submitted in accordance with paragraph (4) of this subsection.

(4) Public notification and public participation. Upon receipt of a decommissioning plan from the licensee, or a proposal from the licensee for release of a site in accordance with paragraph (3) of this subsection, or whenever the agency deems such notice to be in the public interest, the agency will do the following:

25 Texas Administrative Code §289.202(ddd)

(A) notify and solicit comments from the following:

(i) local and state governments in the vicinity of the site and any Indian Nation or other indigenous people that have treaty or statutory rights that could be affected by the decommissioning; and

(ii) the EPA for cases where the licensee proposes to release a site in accordance with paragraph (3) of this subsection; and

(B) publish a notice in the *Texas Register* and a forum, such as local newspapers, letters to state of local organizations, or other appropriate forum, that is readily accessible to individuals in the vicinity of the site, and solicit comments from affected parties.

(5) Minimization of contamination. Applicants for licenses, other than renewals, after October 1, 2000, shall describe in the application how facility design and procedures for operation will minimize, to the extent practical, contamination of the facility and the environment, facilitate eventual decommissioning, and minimize, to the extent practical, the generation of LLRW.

**From:** "Hygie Reynolds" <hreynold@tnrcc.state.tx.us>  
**To:** <TJO@nrc.gov>  
**Date:** Fri, Dec 8, 2000 12:11 PM  
**Subject:** STP-00-083, License Termination Table of Information

Thomas, The table of information that NRC requested in STP-00-083 is attached. Please feel free to contact me if you have questions. Thanks, Hygie H. Reynolds, (512) 239-6825

<b>Name of State/Program</b> <u>Texas /Texas Natural</u> <u>Resource Conservation</u> <u>Commission, Rad. Waste</u> <u>Control</u>	<b>Point of Contact/Phone</b> <u>Hygie Reynolds /(512)</u> <u>239-6825</u>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): Chapter 336, Subchapter G: Sections 336.601, 336.603, 336.607, 336.609, and 336.611.*	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:	<input checked="" type="checkbox"/> No

\* These rules can be viewed on the web at <http://www.tnrcc.state.tx.us/oprd/index.html>.

**From:** "Craig Jones" <cjones@deq.state.ut.us>  
**To:** <tjo@nrc.gov>  
**Date:** Mon, Dec 11, 2000 10:37 AM  
**Subject:** Reply to STP-00-083

The attached document contains a reply to a recent request for information titled "Request for the Status of the License Termination Rule (STP-00-083)." This should meet your needs, but if you have questions, please let me know. Craig Jones

**Reply to: Request for the Status of the License Termination Rule (STP-00-083)**

Please complete the following table and E-mail or FAX to the point of contact below.

<b>Name of State/Program</b> <b>Utah / Department</b> <b>of Environmental Quality,</b> <b>Division of Radiation Control</b>	<b>Point of Contact/Phone</b> <b>Craig Jones/(801)</b> <b>536-4250</b>	
Has your State adopted a regulation or legally binding requirement compatible with the NRC's LTR?	<input checked="" type="checkbox"/> Yes - Please identify the rule section(s): R313-12-3 R313-15-401 through 406 R313-22-35 and 26	<input type="checkbox"/> No - Please indicate the date currently scheduled for adoption:
Does your State regulation or legally binding requirement contain dose criteria that are more restrictive than NRC's LTR?	<input type="checkbox"/> Yes - Please indicate what the differences are:*	<input checked="" type="checkbox"/> No

\* Please include either an electronic or hard copy of your State's LTR, or a website address where your LTR can be directly accessed.

The Utah Radiation Control Rules may be viewed at: [www.deq.state.ut.us/eqrad/rules/rules.htm](http://www.deq.state.ut.us/eqrad/rules/rules.htm)

**From:** "Frazee, Terry" <Terry.Frazee@DOH.WA.GOV>  
**To:** "tjo@nrc.gov" <tjo@nrc.gov>  
**Date:** Fri, Dec 22, 2000 2:15 PM  
**Subject:** SP-00-083

Our response to your request for the status of the License Termination Rule:

WASHINGTON/Department of Health, Division of Radiation Protection  
 Point of Contact for this rule: Scott Van Verst, 360-236-3256

We have adopted Chapter 246-246 WAC "Radiological Criteria for License Termination" (effective May 2000) which is compatible with NRC and is NOT more restrictive than NRC's rule.

\*\*\*\*\*

"This message may be confidential. If you received it by mistake, please notify the sender and delete the message. All messages to and from the Department of Health may be disclosed to the public."

\*\*\*\*\*

This message from Terry C. Frazee  
 e-mail terry.frazee@doh.wa.gov

Quick ways to reach me:  
 Voice = 360-236-3221  
 FAX = 360-236-2255

Also, visit our Home Page at  
<http://www.doh.wa.gov/ehp/rp>

**CC:** "Van Verst, Scott" <Scott.VanVerst@DOH.WA.GOV>, "M..."