

November 27, 2001

Mr. Donald L. Taylor  
Technical Director  
DLT Associates, Consultants  
1431 Mount Olive Road  
Nichols, SC 29581

Dear Mr. Taylor:

Thank you for your letter of October 10, 2001, inquiring about the status of potential Nuclear Regulatory Commission (NRC) oversight of selected, U.S. Department of Energy (DOE) facilities for nuclear and radiation safety.

Public Law 107-66, the Energy and Water Development Appropriations Act, 2001, does not include any requirement for NRC oversight of DOE facilities. However, in the conference committee report accompanying the law, DOE is directed to prepare an implementation plan for the transition to external regulation at the Department's non-defense science laboratories, with the assumption that external regulation would become effective beginning in fiscal year 2004. DOE's plan is due to the House and Senate Committees on Appropriations by May 31, 2002. As evidenced by the above, this issue is still being considered by the members of Congress, however, the actual transition to external regulation for those facilities will require additional legislative direction. For your information, enclosed is our most recent report on external regulatory oversight of DOE facilities, NUREG 1708, "External Regulation of Department of Energy Nuclear Facilities". I hope you find it helpful.

Sincerely,

*/RA/*

Carl J. Paperiello,  
Deputy Executive Director  
for Materials, Research, and State Programs

Enclosure: NUREG-1708

Mr. Donald L. Taylor  
Technical Director  
DLT Associates, Consultants  
1431 Mount Olive Road  
Nichols, SC 29581

November 27, 2001

Dear Mr. Taylor:

Thank you for your letter of October 10, 2001, inquiring about the status of potential Nuclear Regulatory Commission (NRC) oversight of selected, U.S. Department of Energy (DOE) facilities for nuclear and radiation safety.

Public Law 107-66, the Energy and Water Development Appropriations Act, 2001, does not include any requirement for NRC oversight of DOE facilities. However, in the conference committee report accompanying the law, DOE is directed to prepare an implementation plan for the transition to external regulation at the Department's non-defense science laboratories, with the assumption that external regulation would become effective beginning in fiscal year 2004. DOE's plan is due to the House and Senate Committees on Appropriations by May 31, 2002. As evidenced by the above, this issue is still being considered by the members of Congress, however, the actual transition to external regulation for those facilities will require additional legislative direction. For your information, enclosed is our most recent report on external regulatory oversight of DOE facilities, NUREG 1708, "External Regulation of Department of Energy Nuclear Facilities". I hope you find it helpful.

Sincerely,

/RA/

Carl J. Paperiello,  
Deputy Executive Director  
for Materials, Research, and State Programs

Enclosure: NUREG-1708

ADAMS Accession Number:           Package: ML013340567   Letter: ML013120476  
TICKET: EDO G20010452: ML012890310  
DOCUMENT NAME: G:\SPB\AXM2\LETTEREXTREG110501.WPD \*See previous  
concurrence.

| OFFICE | SPB          | SPB        | SPB        | SPB       | FCSS      | NMSS      | EDO         |
|--------|--------------|------------|------------|-----------|-----------|-----------|-------------|
| NAME   | AMurray:cc * | DAHoadley* | JGiitter * | Eleeds *  | MWeber*   | MVirgilio | CPaperiello |
| DATE   | 11/6/01      | 11/6/01    | 11/ 6 /01  | 11/ 6 /01 | 11/ 7 /01 | 11/15/01  | 11/27/01    |

OFFICIAL RECORD COPY



DISTRIBUTION FOR LETTER TO MR. DONALD TAYLOR, DLT ASSOCIATES,  
CONSULTANTS, FROM CARL PAPERIELLO, EDO

DISTRIBUTION: TICKET EDO G20010452

|         |                |               |                     |                   |
|---------|----------------|---------------|---------------------|-------------------|
| ADAMS   | SPB r/f        | FCSS r/f-t/f  | EDO r/f             | NMSS Dir.Off. r/f |
| PUBLIC  | PTressler, EDO | CPoland       | CPaperiello, DEDMRS |                   |
| WKane   | PNorry, EDO    | WTravers, EDO | JCraig              | SBurns, OGC       |
| PLohaus |                |               |                     |                   |

**ADAMS Accession Number:**

Ticket RIDS #: