

January 29, 2003

Mr. William J. Sinclair, Director
Division of Radiation Control
Department of Environmental Quality
168 North 1950 West
P.O. Box 144850
Salt Lake City, UT 84114-4850

Dear Mr. Sinclair:

We received your letter, dated February 21, 2002, on January 1, 2003. Your letter responded to our February 7, 2002 letter regarding our review of specific Utah final regulations, and comments to amend R313-15-208 to meet the compatibility requirements of 10CFR 20.1208. We agree with your proposal to initiate rulemaking to amend Utah rules when the final Part D of the Suggested State Regulations (SSR) are reviewed and accepted by the NRC.

In this regard, we have reviewed the proposed changes to Part D of the SSR submitted by the CRCPD and have one comment, unrelated to your future rulemaking. Under our current procedure, a finding that an SSR meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final SSR. However, we have determined that if the proposed SSR was adopted, incorporating the comment and without other significant change, it would meet the compatibility, and health, and safety categories established in the Office of State and Tribal Programs (STP) Procedure SA-200.

If you have any questions regarding this correspondence, or the compatibility, and health, and safety review of your rules, please contact me or John Zabko of my staff at 301-415-2308 or JGZ@nrc.gov.

Sincerely,

/RA Mary Lynn Scott for Josephine Piccone

Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs

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/RA By Mary Lynn Scott for Josephine Piccone

Josephine M. Piccone, Deputy Director
Office of State and Tribal Programs

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