

March 22, 2004

Ms. Julia A. Schmitt, Program Manager  
X-Ray/Radioactive Materials/Emergency Response  
Regulation and Licensure  
Nebraska Department of Health and Human Services  
301 Centennial Mall South, P.O. Box 95007  
Lincoln, NE 68509-5007

Dear Ms. Schmitt:

This is in response to your July 25, 2003 electronic communication regarding jurisdiction over tritium signs at Cooper Nuclear Station.

Based on discussions with Cooper Station administration, we understand there are no tritium signs currently in use at the plant. However, if you are aware or have any evidence that tritium signs are being used at Cooper, please provide this information to us.

We are unable to provide a specific response to your question on who has regulatory jurisdiction over tritium signs at the Cooper facility. In order to make such a determination, several factors would need to be analyzed. Some of these factors include: (1) the extent to which specific activities (e.g., use of tritium signs) are closely interrelated with or dependent on other activities clearly subject to NRC jurisdiction; and (2) the facility description contained in the applicable Price-Anderson indemnity agreement. Such determinations are made on a case-by-case basis.

If you have any questions regarding this communication, please contact me at (301) 415-3340 or Mr. Osiris Siurano at (301) 415-2307 or e-mail: [osp@nrc.gov](mailto:osp@nrc.gov).

Sincerely,

***/RA By Cardelia H. Maupin Acting for/***  
Paul H. Lohaus, Director  
Office of State and Tribal Programs

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Paul H. Lohaus, Director  
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