

April 15, 2005

Mr. Jared W. Thompson, Chair
Organization of Agreement States.
Radiation Control and Emergency Management
Arkansas Department of Health
4815 West Markham Street, Slot #30
Little Rock, Arkansas 72205-3867

Mr. Edgar D. Bailey, CHP, Chairperson
Conference of Radiation Control Program Directors
Department of Health Services, MS 7610
Radiologic Health Branch
P. O. Box 997414
Sacramento, California 95899-7474

Dear Messrs. Thompson and Bailey:

Thank you for your joint letters of February 24, 2005, addressed to the Chairman and each Commissioner. The letters express concern regarding comments made during the February 15, 2005, Waste Program Briefing regarding the status of Agreement State adoption of the Generally Licensed (GL) Device Rule. In those letters, you also requested meetings between Board leadership from the Organization of Agreement States (OAS) and the Conference of Radiation Control Program Directors (CRCPD), and each Commissioner of the U.S. Nuclear Regulatory Commission (NRC), to discuss issues regarding Agreement State adoption of the GL Device Rule. NRC has also received letters from Mr. Aubrey V. Godwin, Director of Arizona's Radiation Regulatory Agency, dated February 22, 2005, Mr. William A. Passetti, Chief of Florida's Bureau of Radiation Control, dated February 22, 2005 and February 25, 2005, and Mr. Donald A. Flater, Chief of Iowa's Bureau of Radiological Health, dated March 11, 2005, expressing concerns regarding the GL Device Rule and supporting the need to meet face-to-face on this issue. I have enclosed a copy of Mr. Luis A. Reyes' response to Mr. Passetti's February 25, 2005, letter which provides information on issues similar to those raised in your letter. Separately, I have also communicated with you to confirm your meetings with the Chairman and Commissioners on May 9 and May 10, 2005.

The Commission appreciates receiving the views of the OAS and the CRCPD and looks forward to a continued close cooperative working relationship with the Agreement States. The Commission also looks forward to meeting with the OAS and the CRCPD Board members to discuss the GL Rule and other areas of interests to the States.

If you have any questions, please call me at (301) 415-3340 or e-mail PHL@NRC.GOV.

Sincerely,

/RA/

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

Enclosure:
As stated

cc: Agreement States

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Paul H. Lohaus, Director
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cc: Agreement States

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***See previous concurrence.**

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