

FYI

>>> <kwhatley@adph.state.al.us> 07/10/2007 10:24 AM >>>

Kathaleen -

Please see the response from our legal staff to the request. Any questions? Contact me.

----- Forwarded by Kirksey Whatley/RAD/ADPH on 07/10/2007 09:22 AM -----

John
 Wible/LEGAL/ADPH

To
 Greg Locklier/LEGAL/ADPH

06/26/2007 10:47 AM
 cc
kwhatley@adph.state.al.us,
bhale@adph.state.al.us

Subject
 Re: Fw: RCPD-07-004, Agreement
 State Authority to Fingerprint -
 Response Requested(Document link:
 Kirksey Whatley)

Ala. Code 1975, Section 22-14-2 provides that the State of Alabama wants to enter into agreement with the feds to run the radiation control program and in so doing will be consistent with federal law and regulations. Further, Alabama has signed the agreement so agreeing. Section 22-14-4 provides that the Board of Health (Radiation Control Agency) is authorized to adopt rules with a view toward compatibility with NRC regulations and federal law.

The Act NRC cites is a federal law that requires the fingerprinting of everyone who goes into a nuclear plant. In my judgment, there is nothing in Alabama law that prohibits the Board of Health from adopting a rule so requiring and I suggest that we ought to do it to be in compliance.

John R. Wible, General Counsel
Alabama Department of Public Health
201 Monroe St. Suite 1540
Montgomery, Alabama 36130-3017
Phone: 334.206.5209

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