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July 17, 2012

Randy R. Erickson
State Agreements Officer
Region IV - Division of Nuclear Materials Safety
U.S. Nuclear Regulatory Commission
1600 East Lamar Boulevard
Arlington, TX 76011-4511

Dear Mr. Erickson:

The Department has received and reviewed the U.S. Nuclear Regulatory Commission's May 21-25, 2012, draft Integrated Materials Performance Evaluation Program report for the South Carolina Agreement State Program. The following are our comments addressing the technical and clerical accuracy of the report:

1. Page 9, Section 4.1.1 states "The review team noted one piece of legislation that affected the radiation control program during the review period. This new law placed Program fees into the regulations and directed that the fees go to the Bureau." It should be noted that this regulation change did not occur during the review period. The regulation became effective July 1, 1995.
2. Page 1 and Appendix B: The appendix did not include the organization chart for the Division of Land and Waste Management, Low-level Radioactive Waste Program.
3. Appendix C: The inspection date for File No. 44 should be 2/17-19/10.
4. Appendix C: An inspection for License No. 097 was performed on 8/31/11 – 9/1/11 and should be included in the list. The Inspectors were: MP, JS, KS and MY.
5. Appendix C: The License No. for Accompaniment No. 3 should be 287-01.
6. Appendix C: File No. 6, the inspector should be listed as MW instead of JK.

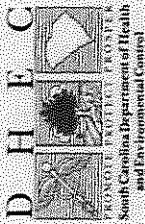
7. Appendix D: The date for File No. 17 should be 1/30/09.
8. Appendix F: The Type of Action should be Amended or Amended in its Entirety instead of New Registration.
9. Page 6: Section 3.4 Technical quality of Licensing actions. The report indicates that the Division's licensing casework involved four actions including two renewals, one amendment and a license termination and lists of all licensing casework evaluated are found in Appendix D. Appendix D shows that, for the Division, four licensing casework were listed involving only license amendments for License No. 097 which are cited for Section 4.3.4, page 14. Licensing casework for the Division did not list the renewals and license termination.
10. Page 7, Paragraph 6: The third sentence should be removed. There are no password protections and/or key card entry to access our licensing and inspection files.
11. Page 13: Section 4.3.2 Status of Low-Level Radioactive Waste Disposal Inspection Program. The Division performed 10 inspections of the Barnwell Facility over the review period.

I appreciate the team's comprehensive review of the South Carolina Agreement State Program. If you have any questions concerning these comments, please contact James K. Peterson at (803) 545-4407 or Richard Haynes at (803) 896-4070.

Sincerely,



Catherine B. Templeton

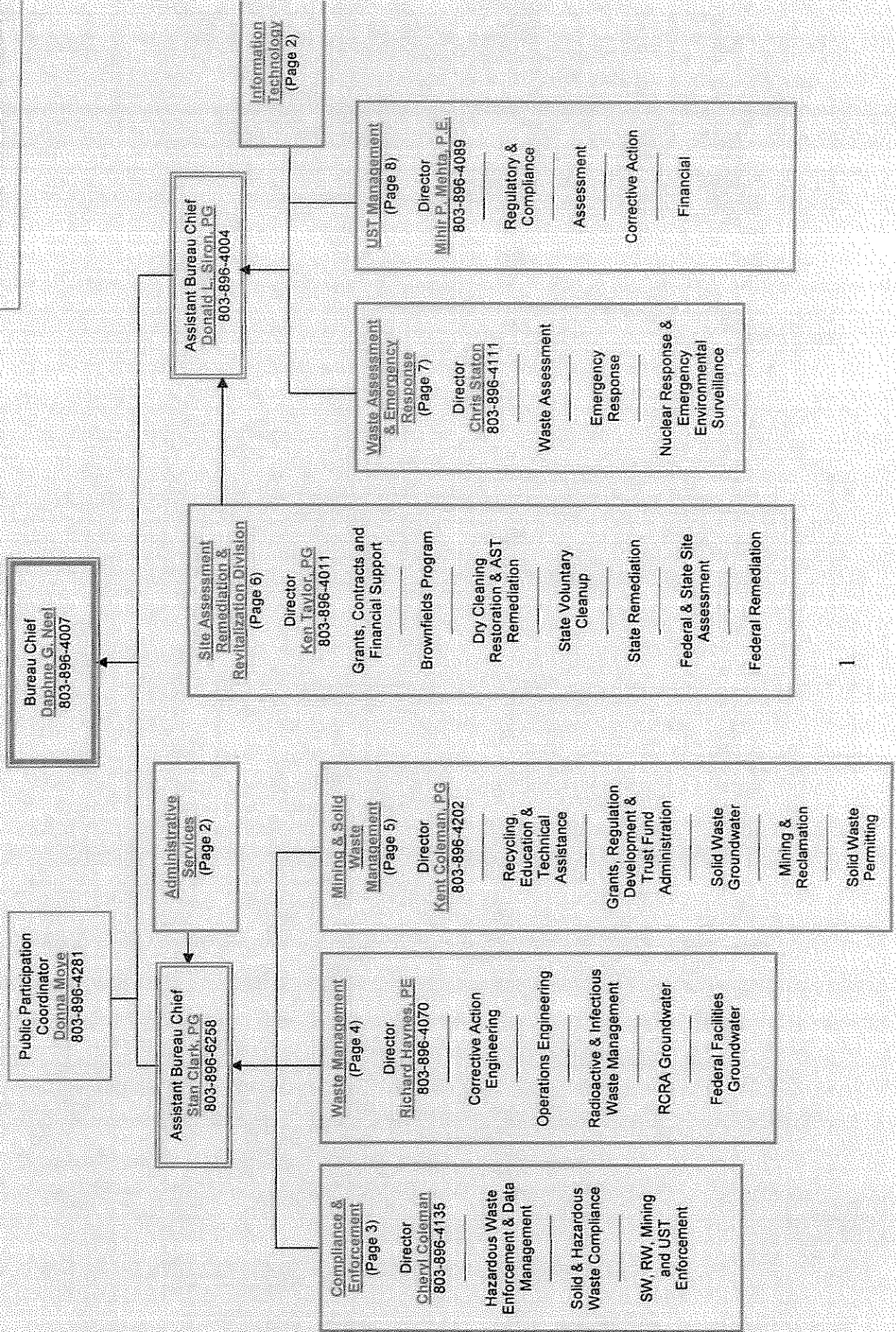


SC DHEC - Environmental Quality Control (EQC)

Bureau of Land and Waste Management

June 14, 2012

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 Bureau of Land and Waste Management
 Division of Waste Assessment & Emergency Response

