



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

PDR

SEP 8 1980

Ref: SA/JRMCG

Frank Traylor, M.D.
Executive Director
Colorado Department of Health
4210 East 11th Avenue
Denver, Colorado 80220

Dear Dr. Traylor:

This is to confirm the discussion Messrs. McGrath and Gordon held with Mr. Arnott and Mr. Hazle during our recent review and evaluation of the Colorado radiation control program. The review covered the principal administrative and technical aspects of the State's program. This included an examination of the program's funding and personnel resources; licensing, inspection, and enforcement activities; emergency response capabilities; and the status of the State's radiation control regulations. We also accompanied State inspectors on licensee inspections.

As a result of our review of the State's program and the routine exchange of information between the Nuclear Regulatory Commission and the State, the staff believes that the State's program for regulation of agreement materials is adequate to protect the public health and safety and compatible with the Commission's program.

The NRC has recently developed draft criteria for uranium mill States implementing the requirements of the Uranium Mill Tailing Radiation Control Act of 1978. Part of that criteria concerns the number of personnel in all areas (radiation control, geology, meteorology, etc.) needed to implement a regulatory program for the control of mills and mill tailings. Current indications are that 2 to 2.75 professional person years of effort is needed to process a new conventional mill license, in situ license, or major renewal; 1 to 1.5 person years effort for processing a heap leach application; and 0.5 to 0.75 person years effort per licensed facility per year for compliance and other post licensing activities. The current staffing level in the Colorado radiation control program does not appear to be adequate to handle the number of actions presently scheduled. The precise extent to which the staffing level is below the guideline is unclear. The State is currently involved (or will be in CY 1981) in 10 mill licensing actions of one sort or another. The projected manpower effort needed for these actions based on the above criteria is 12-18 man years of effort. This figure however, does not include the effort needed for licensing of various ore sorting and ore buying operations licensed by the State. In addition the 12-18 man years figure does not account for the amount of effort which has already been spent on some licensing actions. In evaluating the staffing situation, it is evident that

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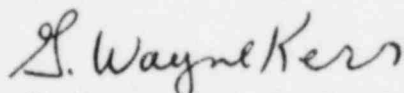
additional staffing will be necessary. On January 16, 1980 the Colorado fee regulations became effective. The fees for source material licenses are similar to those charged by NRC. It appears to us that such fees are adequate to support the manpower necessary to administer the mill program. The staff effort in non-mill areas should also be enhanced. The inspection backlog remains high, a licensing backlog has developed in the past year, and the current x-ray program is minimal. The subject of staffing for the mill program was also covered at some length in my letter to you dated July 25, 1980. I want to emphasize the importance of an adequate level of staffing for the agreement materials program. This will be an extremely important factor in our evaluation of the Colorado program for regulating uranium mills prior to entering into an amended agreement in November 1981.

During our previous review we commented that the Colorado radiation control program is sufficiently large that it would benefit from automatic data processing support. In the past year no steps have been taken to provide the program with such services. We continue to believe that ADP support will greatly facilitate the administration of the program.

Enclosed for your information is a copy of a letter to Mr. Albert Hazle with comments regarding technical aspects of the program. I am also enclosing a second copy of each letter which should be placed in your State Public Document Room or otherwise made available for public review. I would appreciate your comments on these recommendations. I would be pleased to meet with you and other appropriate State officials at a mutually convenient time to discuss the matter of staffing.

I appreciate the courtesy and cooperation extended to our representatives during the review.

Sincerely,



G. Wayne Kerr, Acting Director
Office of State Programs

Enclosures:
As stated

cc: A. Hazle, w/o encl.
NRC Public Document Room) w/enclosures
State Public Document Room)

State Programs - Colorado file