

Terry Lash, Ph.D., Director  
 Department of Nuclear Safety  
 1035 Outer Park Drive  
 Springfield, Illinois 62706

AUG 23 1989

Dear Dr. Lash:

The staff of the Nuclear Regulatory Commission (NRC) has reviewed the request for the Amended Agreement package submitted by Governor Thompson on April 11, 1989. This Amendment will transfer to the State of Illinois regulatory responsibilities over extractions or concentration of source material ore and byproduct material as defined in Section 11.e(2) of the Atomic Energy Act of 1954, as amended. As a result of our review, we believe the proposal has addressed most of the issues that we brought to the attention of the your staff last December. However, portions of the proposal appear to require modifications prior to consummation of an amended agreement. The staff has identified these changes in the enclosed Part A. We can discuss these, as necessary, with you or your staff at your convenience.

Other comments are provided in Parts B, C, and D. Part B contains comments regarding IDHS proposed standards that appear more stringent than NRC standards. Part C identifies standards within the proposed regulation which are not addressed in NRC's 10 CFR Part 40 regulations. Part D provides comments and recommendations on the proposed regulation that might clarify the regulations, thereby reducing the potential for misunderstanding. The comments in Parts B, C, and D are provided for your consideration, but do not require any action.

We look forward to completing all of the requirements necessary to conclude the Amended Agreement between the NRC and the State of Illinois.

Sincerely,

Original Signed by  
 H. R. Denton

Harold R. Denton, Director  
 Office of Governmental and  
 Public Affairs

Enclosures:  
 As stated

Distribution:

SA RF                   SSchwartz           RBernero           WParler           STreby  
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\*See previous concurrence.

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Terry Lash, Ph.D., Director  
Department of Nuclear Safety  
1035 Outer Park Drive  
Springfield, Illinois 62706

Dear Dr. Lash:

The staff of the Nuclear Regulatory Commission (NRC) has reviewed the request for the Amended Agreement package submitted by Governor Thompson on April 11, 1989. As a result of our review, we believe the proposal has addressed most of the issues that we brought to the attention of the your staff by letter dated December 20, 1988. However, portions of the proposal appear to require modifications prior to consummation of an amended agreement. The staff has identified these changes in the enclosed Part A. We can discuss these, as necessary, with you or your staff at your convenience.

Other comments are provided in Parts B, C, and D. Part B contains comments regarding IDNS proposed standards that appear more stringent than NRC standards. Part C identifies standards within the proposed regulation which are not addressed in NRC's 10 CFR Part 40 regulations. Part D provides comments and recommendations on the proposed regulation that might clarify the regulations, thereby reducing the potential for misunderstanding. The comments in Parts B, C, and D are provided for your consideration, but do not require any action.

We look forward to completion and publication for public comment in the near future.

Sincerely,

Harold R. Denton, Director  
Office of Governmental and  
Public Affairs

Enclosures:  
As stated

Distribution:

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