



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555

CORRECTED COPY

January 23, 1990

William W. Cobey, Secretary
State of North Carolina Department
of Environment, Health and Natural
Resources
P. O. Box 27687
Raleigh, NC 27611-7687

Dear Mr. Cobey:

This is to confirm the discussion Mr. Richard L. Woodruff, NRC State Agreements Officer, held on November 17, 1989 with you and Mr. Dayne H. Brown following our review and evaluation of the State's radiation control program.

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 of North Carolina, the staff determined that overall the North Carolina program for regulation of agreement materials is adequate to protect the public health and safety and is compatible with the Commission's program. However, our findings include one item that we would like for you to address.

Staffing Level is a Category II Indicator. The program's technical staffing level should be approximately 1.0 to 1.5 person-years per 100 licenses. The Materials Section has only four technical persons and the Section Chief for 556 specific licenses, or a staffing level of approximately 0.9 person-year per 100 licenses. We noted during the review that the Materials Section has one vacancy and the interviews for this vacancy were being conducted. We urge that this vacancy be filled and the staffing level be maintained at the recommended 1.0 to 1.5 person-years per 100 licenses. Our experience has been that a low staffing level is often a precursor to serious problems in State programs.

An explanation of our policies and practices for reviewing Agreement State programs is included as Enclosure 1.

Enclosure 2 contains comments regarding the State's program which were discussed with Mr. Brown and his staff during our exit meeting with them. As indicated during our exit meeting, we would like a response from the State on the issues discussed in Enclosure 2. We are enclosing a second copy of this letter for placement in the State's Public Document Room or otherwise to be made available for public view.

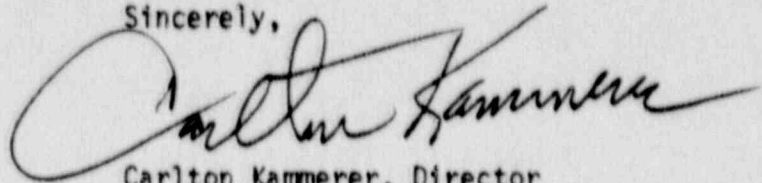
We wish to commend the State for prompt adoption of regulations that are needed to maintain compatibility with NRC regulations. Periodic amendment of the State's regulations is necessary to add those requirements that NRC has adopted which are matters of compatibility. These need to be adopted by the State within three years. The State will need to adopt rules on decommissioning by 1991, and we suggest steps be initiated as early as possible to meet this deadline. Also, the State has an excellent program for maintaining regulatory information on 546 General Licenses. The State's regulatory efforts in these areas are greatly appreciated.

William W. Cobey

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As we discussed, we appreciate your support of the Division of Radiation Protection and their regulatory efforts to protect public health and safety. We also appreciate your cooperation with this office and the cooperation extended by your staff to Mr. Woodruff and Ms. Connell during the review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carlton Kammerer". The signature is written in dark ink and is positioned above the typed name and title.

Carlton Kammerer, Director
State, Local and Indian Tribe Programs
Office of Governmental and Public Affairs

Enclosures:
2, as stated

cc: J. M. Taylor, EDO
S. Ebnetter, RII
Dayne H. Brown, Director
Radiation Protection Division
State Liaison Officer
NRC Public Document Room
State Public Document Room