



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D. C. 20555-0001

May 6, 1994

Mr. Harold F. Reheis, Director  
Environmental Protection Division  
Georgia Department of Natural Resources  
East Floyd Tower, 1152-East  
205 Butler Street, S.E.  
Atlanta, GA 30334

Dear Mr. Reheis:

This will acknowledge receipt of your letter dated March 7, 1994 in response to our comments dated February 2, 1994 following the November 1993 review of your Radiation Control Program.

We appreciate the positive actions that you and your staff are implementing with regard to our comments. In particular, we are pleased to learn that the regulations needed for compatibility have been adopted, that brachytherapy licenses will be inspected on an annual basis, and that the administrative procedures are being revised.

In your letter you also requested that the State of Georgia not be required to adopt amendments equivalent to, "Licensing Requirements for Land Disposal of Radioactive Waste" (10 CFR Part 61, 58 FR 33886, published June 22, 1993), which clarified that 10 CFR Part 61 was applicable to above-ground disposal facilities by amending the definition of "land disposal facility" and replaced the phrase "quality control program" in the regulations with "quality assurance program." It has been the NRC's practice since 1983 to require Agreement States not responsible for the regulation of low-level waste disposal to only adopt those portions of 10 CFR Part 61 which pertain to persons generating and transferring waste and other portions of the regulations which pertain to these provisions, such as certain definitions. (Please see the enclosed letter dated March 29, 1983.) All Agreement States are required to adopt provisions equivalent to 10 CFR Parts 61.55, "Waste Classification," 61.56, "Waste Characteristics," 61.57, "Labeling" and 20.311 (20.2006 in the revised 10 CFR Part 20), "Transfer for Disposal and Manifests," which the State of Georgia has already adopted. In view of the fact that the 1993 amendment to 10 CFR Part 61 does not affect the provisions above pertaining to the generation and transferring of waste, the State of Georgia is not expected, at this time, to include the 10 CFR Part 61 amendment in their regulations for the purposes of compatibility. At such time the State of Georgia decides to develop a low-level radioactive waste disposal facility, this amendment along with the other pertinent portions of 10 CFR Part 61 would have to be adopted by the State for a compatible program.

We have received a printed copy of your revised 10 CFR Part 20 regulations along with an electronic copy. These regulations will be sent to our contractor for a detailed comparison with the NRC regulations and the Suggested State Regulations for Control of Radiation (SSRCR). Following completion of their work, we plan to provide a report summarizing the results of this cooperative evaluation. We will also notify you at an early time of

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any compatibility findings affecting the Georgia 10 CFR Part 20 equivalent regulations resulting from this work. In addition, the other regulations needed for compatibility should also be submitted for NRC review.

I appreciate your support of the Radiation Control Program and look forward to working with you in the future.

Sincerely,

Original Signed By  
RICHARD L. BANGART

Richard L. Bangart, Director  
Office of State Programs

Enclosure:  
As stated

cc: James L. Setser, Chief  
Program Coordination Branch  
Thomas E. Hill, Manager  
Radioactive Materials Program

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\*Concurrence by E-mail.

\*\*See previous concurrence.

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