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STATE OF ILLINOIS  
DEPARTMENT OF NUCLEAR SAFETY  
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THOMAS W. ORTCIGER  
DIRECTOR

November 28, 1990

JAMES R. THOMPSON  
GOVERNOR

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GPA/SLIP

Mr. Carlton Kammerer, Director  
State Programs  
Office of Governmental and Public Affairs  
U.S. Nuclear Regulatory Commission  
One White Flint North  
11555 Rockville Pike  
Rockville, MD 20852

Dear Mr. Kammerer:

Thank you for your letter of October 3, 1990, the most recent in a series of letters regarding NRC's 1990 review of the Illinois radiation control program for agreement materials. At this time, I have no new developments to report to you concerning the State's program for regulating a low-level radioactive waste disposal facility. I do want to take this opportunity, however, to respond to your request regarding incorporation of the terms of the settlement agreement between US Ecology and the State of Illinois into the US Ecology's license for the Sheffield low-level radioactive waste disposal facility.

I have asked the Department's Office of Legal Counsel to consider whether the terms of the settlement agreement between US Ecology and the State of Illinois should be incorporated into the Sheffield license for source, special nuclear and byproduct material. They have assured me that the terms of the settlement agreement are binding on both the Department and US Ecology, so there is no need to modify the license to incorporate the terms of the settlement agreement into the license. A complete copy of the settlement agreement has been placed in the Sheffield license file in order to ensure that the Department's licensing staff is familiar with its terms. I trust this is sufficient.

If you have any further questions regarding the settlement agreement, or any other matter, please feel free to contact me. I look forward to hearing from you regarding plans for NRC's next review of Illinois' program for regulating source, special nuclear and byproduct materials.

Sincerely,

Thomas W. Ortziger  
Director

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