

MAY 10 1982

The Honorable Charles Thone
Governor of Nebraska
Lincoln, Nebraska 68509

Dear Governor Thone:

This refers to your letter of February 18, 1982, requesting that the NRC reassert authority to regulate source materials as they relate to in situ or solution uranium mining and uranium milling.

The Commission has considered your request and has made a determination to grant your request and terminate that part of Nebraska's agreement relinquishing NRC authority over source materials involved in uranium milling and in situ or solution mining activities and to reassert NRC licensing and regulatory authority over these activities in Nebraska in order to protect the public health and safety. The reassertion was effective on May 4, 1982.

The State of Nebraska may, at some later date, submit a proposal for an amended agreement whereby the State could assume regulatory control over uranium milling and uranium in situ or solution mining activities and the associated mill tailings.

A copy of the Federal Register Notice announcing this finding is enclosed.

Sincerely,

(Signed) William J. Dircks

William J. Dircks
Executive Director
for Operations

Enclosure:
Federal Register Notice

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The Honorable Charles Thone
Governor of Nebraska
Lincoln, Nebraska 68509

Dear Governor Thone:


This refers to your letter of February 18, 1982 requesting that the NRC reassert authority to regulate source materials as they relate to in situ or solution uranium mining and uranium milling.

Authority
The Commission has considered your request and found that it is necessary for the Commission to terminate that part of Nebraska's agreement relinquishing NRC authority over source materials involved in uranium milling and in situ or solution mining activities and to reassert NRC licensing and regulatory over these activities in Nebraska in order to protect the public health and safety. The reassertion is effective on May 4, 1982.

The State of Nebraska may, at some later date, submit a proposal for an amended agreement whereby the State could assume regulatory control over uranium milling and uranium in situ or solution mining activities and the associated mill tailings.

A copy of the Federal Register Notice announcing this finding is enclosed.

Sincerely,


William J. Dircks
Executive Director for
Operations

Enclosure:
Federal Register Notice



STATE OF NEBRASKA

LINCOLN 68509

February 18, 1982

Mr. G. Wayne Kerr
Director for State Programs
Office of State Programs
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Kerr:

In 1966, Governor Morrison of Nebraska signed an Agreement with the U.S. Atomic Energy Commission whereby Nebraska became an Agreement State.

The State of Nebraska and its citizens have benefitted from this Agreement whereby we assumed the authority to regulate byproduct, source and special nuclear material of less than critical mass.

The reviews by the U.S. Nuclear Regulatory Commission of our Agreement's program and the technical assistance you provide are extremely valuable to our state in maintaining a regulatory program compatible with those of other states and the federal government.

As you may be aware, there has been considerable exploratory activities for uranium deposits within our state over several years. It appears that the state may receive a uranium mining and milling license application in the near future.

At this time the State of Nebraska does not have the necessary legislation nor regulations to protect the public health and safety from uranium mining and milling activities.

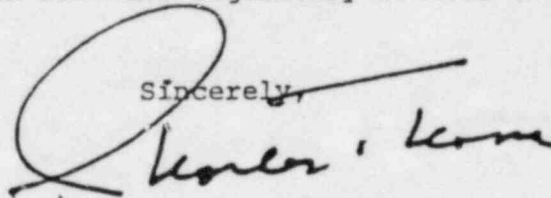
As Governor of the State of Nebraska, I hereby request that the U.S. Nuclear Regulatory Commission reassert regulatory authority to regulate source materials as they relate to uranium mining and milling.

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XA

Mr. G. Wayne Kerr
February 18, 1982
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The State of Nebraska does wish to review its options in this area and if in the best interest of Nebraska and its citizens be permitted at a later date to submit an amended Agreement to the U.S. Nuclear Regulatory Commission whereby the State could reassume regulatory control over source material in Nebraska.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles Thone", is written over the word "Sincerely,". The signature is fluid and cursive.

CHARLES THONE
Governor

CT:HS:j