

JUN 16 1999

Mr. Mark Coleman, Executive Director
Departmental of Environmental Quality
707 North Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677

Dear Mr. Coleman:

I am pleased to enclose a copy of the Commission's June 10, 1999 Staff Requirements Memorandum for SECY-99-123 "Oklahoma Agreement State Negotiations: State Proposal to Limit Scope of Agreement." This letter and the SRM respond to your November 12, 1998 proposal to limit the scope of your proposed Agreement.

The Commission has considered and approved, with comments, your proposal to enter into an Agreement which would include relinquishing responsibility to the State for:

- 11e.(1) byproduct material;
- less than critical mass quantities of special nuclear material (SNM); and
- source material used to take advantage of its density and high mass properties where the use of the specifically licensed source material is subordinate to the primary specifically licensed use of either 11e.(1) byproduct material or SNM.

We appreciate your continued support for the Agreement and look forward to continuing coordination with you and your staff on preparation of your State Agreement application.

Sincerely, ~~Original Signed By:~~
PAUL H. LOHAUS

Paul H. Lohaus, Director
Office of State Programs

Enclosure:
As stated

cc: Mike Broderick
Environmental Program
Administrator, DEQ

Distribution:

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PDR (YES✓)

*See previous concurrence

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Sincerely,

Paul H. Lohaus, Director
Office of State Programs

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As stated

cc: Mike Broderick
Environmental Program
Administrator, DEQ

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 16, 1999

Mr. Mark Coleman, Executive Director
Departmental of Environmental Quality
707 North Robinson
P.O. Box 1677
Oklahoma City, OK 73101-1677

Dear Mr. Coleman:

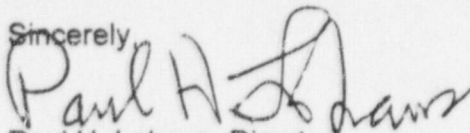
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Office of State Programs

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cc: Mike Broderick
Environmental Program
Administrator, DEQ



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 10, 1999

SECRETARY

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary *Annette Vietti-Cook*

SUBJECT: STAFF REQUIREMENTS - SECY-99-123 - OKLAHOMA
AGREEMENT STATE NEGOTIATIONS: STATE
PROPOSAL TO LIMIT SCOPE OF AGREEMENT

The Commission has approved the staff entering into an Agreement which would include responsibility for:

- 11e. (1) byproduct material;
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- source material used to take advantage of its density and high mass properties where the use of the specifically licensed source material is subordinate to the primary specifically licensed use of either 11e. (1) byproduct material or SNM.

There are certain points of jurisdiction regarding licensing devices that warrant additional clarification, for example, defunct radiography companies that continue to possess the licensed devices but no longer possess the radioactive sources. In these cases, it is the Commission's intent that Oklahoma would retain jurisdiction over the devices since they contain source material as shielding until the devices were transferred or disposed. The staff should ensure that this point is clarified in the Agreement or documentation providing the bases for the Agreement. (SP)

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
CIO
CFO
OCA
OIG
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR
DCS

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