

October 8, 1999

ALL AGREEMENT STATES  
MINNESOTA, OKLAHOMA, PENNSYLVANIA, WISCONSIN

**OTHER INFORMATION: EXTERNAL REGULATION OF THE U. S. DEPARTMENT OF ENERGY (SP-99-070)**

I committed at the All Agreement States Meeting in Austin, Texas to provide the Agreement States with a status summary on the issue of external regulation of the U.S. Department of Energy (DOE). The Nuclear Regulatory Commission (NRC) Task Force on External Regulation of DOE Nuclear Facilities presented its views on the major issues related to external regulation of DOE nuclear facilities in the final report entitled "External Regulation of Department of Energy Nuclear Facilities: A Pilot Program (NUREG-1708)." A copy of this report was provided to all States in August and can be found at: <http://www.nrc.gov/NRC/NUREGS/SR1708/index.html>. The NRC Task Force report concluded that, although the pilot sites selected were not representative of the entire DOE complex and did not include any defense facilities, no significant issues were found during the pilot project that would impede NRC regulation of similar DOE non-defense nuclear facilities. The report detailed certain statutory and practical details that would need to be resolved for NRC to implement an oversight program effectively. The Commission approved submittal of the Task Force Report to Congress and the Secretary of Energy on July 13, 1999. The Commission's endorsement of the concept of NRC oversight of DOE facilities, phased in over time, has long been contingent on, among other things, adequate funding and staffing. Enclosed for your information is a copy of the transmittal letter from Chairman Dicus to Senator Murkowski, Chairman of the Senate Committee on Energy and Natural Resources which provides additional information.

Original Signed By:  
PAUL H. LOHAUS

Paul H. Lohaus, Director  
Office of State Programs

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