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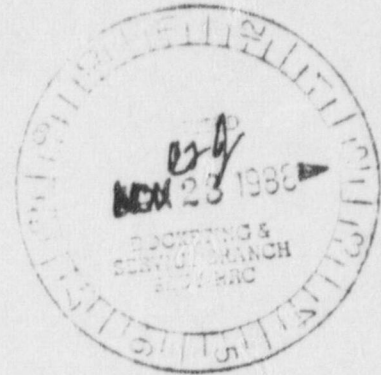
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DOCKET NUMBER PR 150  
PROPOSED TITLE (53 FR 31880)  
DEPARTMENT OF HEALTH  
DIVISION OF ENVIRONMENTAL HEALTH

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- Copy to CLK  
- Joel - let's discuss w/ GPA/SLITP Carl re following  
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October 24, 1988



Carlton C. Kammerer, Director  
State, Local and Indian Tribe Programs  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Mr. Kammerer:

Again this year, as in the past, the Nuclear Regulatory Commission (NRC) has hosted an informative and instructional All Agreement States Meeting. The Agreement States are very appreciative of your efforts in this regard. As has been the case in the past, the Agreement States have assembled a list of objectives and concerns which we believe should be resolved by the NRC. The following represents that list:

1. We request the NRC to arrange to have Dr. John Poston present a course relative to internal dosimeter consistent with 10 CFR part 20 to the Agreement States; preferably at least one course being presented in each NRC Region.
2. The Agreement States oppose the reassertion of NRC authority over on-site low level waste disposal at reactors.
3. The Agreement States have traditionally and appropriately recommended to the NRC that naturally-occurring and accelerator-produced radioactive materials (NARM) should be regulated by the NRC. For reasons we have carefully documented over the years, it remains impractical and illogical that NARM not have a home in a single federal agency; common sense dictates that the NRC be that home. While conscience demands that the Agreement States once again make this recommendation to the NRC, we no longer intend to simply give the Commission our recommendation and wait for a response. This time it is our intention to press for resolution of this goal. We have had our NARM Meeting, we are developing a plan, and we intend to implement that plan which will finally see the states regulate NARM with an appropriate federal agency providing "guidance," "over-sight," and/or "compatibility," even if legislation to accomplish this end must arise from the Agreement States.
4. The NRC should complete the General License Study and provide a report to the Agreement States.

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5. The NRC should fulfill its objectives under the Consolidation Omnibus Budget Reconciliation Act of 1985, by adopting a radioactive materials license and inspection fee schedule that reflects the real costs of implementing the radioactive materials program and recovering 45% of the costs.
6. The Organization of Agreement States supports the Texas industrial radiographic testing program and strongly encourages the NRC to utilize that system to ensure that the testing of individuals remains within regulatory channels so that individuals tested remain subject to appropriate regulatory sanctions.
7. We wish to express our concern with NRC recommending the use of different shipping and packaging configurations for private carriers and common carriers, specifically for spec 2-T containers. We believe the same conditions should apply for transport in both cases and therefore the same shipping-packaging configuration requirements should apply and be met. We are also concerned that the inspection and enforcement notice sent to industrial radiographers is not clear regarding the structural requirements for boxes used in private shipments.
8. The Organization of Agreement States submits the names of Don Flater of Iowa and Paul Merges of New York for membership on the NRC/Agreement State Training and Funding Task Force.
9. Greta Dicus of Arkansas was selected as chairperson elect, to assist the incoming chairman Don Hughes of Kentucky in conducting activities over the coming year.

Again, we appreciate your support and pledge our continuing cooperation over the coming years.

Sincerely,



Larry F. Anderson, Director  
Bureau of Radiation Control