

D&D (SP05)

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NORTH CAROLINA DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES
DIVISION OF RADIATION PROTECTION



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DIRECTOR

October 15, 1999

Paul H. Lohaus, Director
Office of State Programs (03 C 10)
U. S. Nuclear Regulatory Commission
Washington, DC 20555

Dear Mr. Lohaus:

This in reference to the jurisdictional determination for the Tarheel Army Missile Plant (TAMP) located in Burlington, North Carolina. We have received from the contractor a determination from the Office of the Staff Judge Advocate, U. S. Army Redstone Arsenal, which states "...there is not 'exclusive Federal jurisdiction' at the Tarheel Army Missile Plant." A copy of this determination is enclosed.

Based on this determination we stand ready to grant reciprocity to ATG Richland Corporation, including the review and approval of their work plan, for this contractor to survey and decontaminate this facility for free release in accordance with North Carolina radiation protection regulations and decommissioning guidance.

The purpose of this letter is to document to the U.S. NRC, the U.S. Army and its contractor, ATG, Inc., that by this determination North Carolina has the final jurisdiction in this matter as it relates to the radiation survey and radiological aspects of decommissioning and free release of this property.

Sincerely,

Richard M. Fry, CHP

Enclosure

cc: Richard Woodruff, U. S. NRC Region II
Terry de la Paz, U. S. Army
Lee Young, ATG, Inc., Project Manager

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