

June 10, 1999

MEMORANDUM TO: William D. Travers
Executive Director for Operations

FROM: Annette Vietti-Cook, Secretary /s/

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;
- 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.

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.

cc: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
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