

DLD(SPO3)

**From:** "Stan Marshall" <smarshal@govmail.state.nv.us>  
**To:** "Thomas O'Brien" <TJO@nrc.gov>  
**Date:** Mon, Nov 29, 1999 3:07 PM  
**Subject:** Re: Information Request on Release of Solid Materials

Re: SP-99-094

The multiple responses were intended to confirm that Reg Guide 1.86 or anything else can be used to achieve background levels. It's not either/or; it's clearly interpreted as background with process approval by the agency upon review of what the licensee submits.

Thought that NAC 459.085 was faxed with the other pages; will send it again to (301) 415-3502.

Stan

-----Original Message-----

**From:** Thomas O'Brien <TJO@nrc.gov>  
**To:** smarshal@govmail.state.nv.us <smarshal@govmail.state.nv.us>  
**Date:** Monday, November 29, 1999 9:10 AM  
**Subject:** Re: Information Request on Release of Solid Materials

>Stan-

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>Thank you for response. We are in the process of compiling State responses and find that some clarification is needed to ensure we accurately profile each State's practices.

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>In your case could you please clarify whether you use NRC Reg. Guide 1.86. >or an "indistinguishable from background" approach? The two responses you submitted (see below) appear to indicate that both approaches are used. Also, could you provide a copy of Nevada Administrative Code (NAC) 459.085 ?

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>Thanks for your assistance.

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>Nevada response to this request:

>1. Our radiological criteria for release of solid material is a background >release criteria that applies to all media. Since there is no quantified >level higher than background levels, etc., the concept is directly >applicable to all materials.

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>Adopted by the Nevada State Board of Health, the background level release >concept is associated with background radiation exposure levels necessary to

>make a land parcel, piece of equipment or other object available for >unrestricted use where exposure is not subject to radiation control >standards or requiring the item or property to be considered a restricted >area as a result of the radiation exposure/contamination.

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>Your response to question 43:

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>Our release standards for solid material is taken from the regulation >definition in Nevada Administrative Code (NAC) 459.085 for "release for >unrestricted use" and as implied in NRC Reg. Guide 1.86.

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SP-A-4

SP-A-10



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