

Mr. Terry C. Frazee, Supervisor  
 Radiation Materials Section  
 Division of Radiation Protection  
 Washington Department of Health  
 7171 Cleanwater Lane, Bldg. 5  
 P.O. Box 47827  
 Olympia, Washington 98504-7827

DEC 14 1999

Dear Mr. Frazee:

As requested, we have reviewed the proposed regulations, a new chapter in the Washington Administrative Code (WAC), Chapter 246-246 WAC, Radiological Criteria for License Termination, and amendments to WAC 246-221-270, 246-232-060, and 246-235-075, to cross reference the new criteria. They were submitted by your November 3, 1999 letter. The proposed regulations are in response to the amendment identified in the enclosed Regulation Assessment Tracking System (RATS) Data Sheet. The proposed regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Part 20, Subpart E.

As a result of our review, we have no comments. Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation. However, we have determined that if your proposed regulations were adopted without significant change, they would meet the compatibility and health and safety categories established in OSP Procedure SA-200.

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in OSP Procedure SA-201, Review of State Regulations (November 10, 1998), please highlight the final changes and send one copy in a computer readable format, if possible.

We have also summarized on the RATS Data Sheet our knowledge of the status of other Washington regulations. Please let us know if you note any inaccuracies or have any comments on the information contained in the RATS Data Sheet.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me or Mark Shaffer at (817) 860-8287 or by e-mail at [mrs@nrc.gov](mailto:mrs@nrc.gov).

Sincerely,

Original signed by:  
 Frederick C. Combs, Deputy Director  
 Office of State Programs

Enclosure:  
 As stated

Distribution:

DIR RF (9-246)  
 PLohaus  
 SDroggitis  
 Washington File

DSollenberger/ASPO  
 BUilton  
 LMcLean, RIV

DCD (SP08) PDR (YES✓)

DOCUMENT NAME: G:\SNS\CHAPTER 246\_246\_WAC.WPD

\*See previous concurrence.

OFFICE	RIV:SAO	E	OSP	SNS	E	OGC		OSP:DD		
NAME	MShaffer:kk		SSalomon		STreby			FCombs		
DATE	11/29/99 via E-Mail		12/1/99		12/09/99 *			12/1/99		

OSP FILE CODE: SP-AG-29

PDR STPRG WA



Mr. Terry C. Frazee, Supervisor  
 Radiation Materials Section  
 Division of Radiation Protection  
 Washington Department of Health  
 7171 Cleanwater Lane, Bldg. 5  
 P.O. Box 47827  
 Olympia, Washington 98504-7827

Dear Mr. Frazee:

As requested, we have reviewed the proposed regulations, a new chapter in the Washington Administrative Code (WAC), Chapter 246-246 WAC, Radiological Criteria for License Termination, and amendments to WAC 246-221-270, 246-232-060, and 246-235-075, to cross reference the new criteria. They were submitted by your November 3, 1999 letter. The proposed regulations are in response to the amendment identified in the enclosed Regulation Assessment Tracking System (RATS) Data Sheet. The proposed regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Part 20, Subpart E.

As a result of our review, we have no comments. Under our current procedure, a finding that a State regulation meets the compatibility and health and safety categories of the equivalent NRC regulation may only be made based on a review of the final State regulation. However, we have determined that if your proposed regulations were adopted without significant change, they would meet the compatibility and health and safety categories established in OSP Procedure SA-200.

We request that when the proposed regulations are adopted and published as final regulations, a copy of the "as published" regulations be provided to us for review. As requested in OSP Procedure SA-201, Review of State Regulations (November 10, 1998), please highlight the final changes and send one copy in a computer readable format, if possible.

We have also summarized on the RATS Data Sheet our knowledge of the status of other Washington regulations. Please let us know if you note any inaccuracies or have any comments on the information contained in the RATS Data Sheet.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in the review, please contact me or Mark Shaffer at (817) 860-8287 or by e-mail at [mrs@nrc.gov](mailto:mrs@nrc.gov).

Sincerely,

Frederick C. Combs, Deputy Director  
 Office of State Programs

Enclosure:  
 As stated

Distribution:

DIR RF (9-246)  
 PLohaus  
 SDroggitis  
 Washington File

DSollenberger/ASPO  
 BUSilton  
 LMcLean, RIV

DCD (SP08) PDR (YES✓)

*no legal objection*

DOCUMENT NAME: G:\SNS\CHAPTER 246\_246 WAC.WPD \*See previous concurrence.

OFFICE	RIV:SAO	E	OSP	sns	E	OGC		OSP:DD		
NAME	MShaffer:kk		SSalomon			STreby	811	FCombs		
DATE	11/29/99 via E-Mail		12/1/99			12/9/99		12/9/99		