

October 29, 1999

ALL AGREEMENT STATES  
MINNESOTA, OKLAHOMA, PENNSYLVANIA, WISCONSIN

**OTHER INFORMATION: CONTROL OF SOLID MATERIALS AT LICENSED FACILITIES:  
RE-SCHEDULED CHICAGO, ILLINOIS MEETING, RECENTLY ISSUED DOCUMENTS, AND  
REQUEST FOR TECHNICAL INFORMATION (SP-99-073)**

In an All Agreement States Letter dated September 16, 1999 (SP-99-64), we identified that the U.S. Nuclear Regulatory Commission (NRC) is continuing to solicit early and active public input on the major issues associated with the release of solid materials. In that letter we advised that the date for the postponed public meeting in Chicago, Illinois would be announced soon and that comments on the Issues Paper and scoping process for environmental issues were due by November 15, 1999. The enclosed Federal Register notice, dated October 19, 1999, announces that the Chicago, Illinois meeting has been re-scheduled to December 7-8, 1999 and that the comment period has been extended to December 22, 1999. Please also note that the next scheduled meeting on the control of release of solid materials will occur November 1-2, 1999 at NRC Headquarters in Rockville, Maryland.

Three recently issued documents, Staff Requirements Memorandum - SECY-99-214, "Options for Proceeding with NRC's Efforts Regarding the Release of Solid Materials" and the transcripts for the public workshop on the Issues Paper and scoping process held in San Francisco, California and Atlanta, Georgia are available at the Office of State Programs' Web Site (<http://www.hsr.d.ornl.gov/nrc/home.html>). Click on "What's New" to locate the documents.

Please direct any questions to Anthony M. Huffert, Telephone: (301) 415-6416 or E-mail: AMH1@nrc.gov, Office of Nuclear Material Safety and Safeguards, NRC, Washington, DC 20555-0001.

original signe by Frederick C. Combs

Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

Distribution:

DIR RF  
PHLohaus  
SDroggitis  
AMHuffert, NMSS  
FCardile, NMSS  
Agreement State File

DCD (SP03)  
PDR (YES✓)

**DOCUMENT NAME: G:\tjok sp99073 .wpd**

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	OSP	<input type="checkbox"/>	<input checked="" type="checkbox"/> OSP:DD	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NAME	TJO'Brien:gd		FCombs					
DATE	10/ /99		10/2/99					

OSP FILE CODE: SP-A-4

SP03

87

NRC FILE CENTER COPY

PDR STPRG GENERAL



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 29, 1999

ALL AGREEMENT STATES  
MINNESOTA, OKLAHOMA, PENNSYLVANIA, WISCONSIN

**OTHER INFORMATION: CONTROL OF SOLID MATERIALS AT LICENSED FACILITIES:  
RE-SCHEDULED CHICAGO, ILLINOIS MEETING, RECENTLY ISSUED DOCUMENTS, AND  
REQUEST FOR TECHNICAL INFORMATION (SP-99-073)**

In an All Agreement States Letter dated September 16, 1999 (SP-99-64), we identified that the U.S. Nuclear Regulatory Commission (NRC) is continuing to solicit early and active public input on the major issues associated with the release of solid materials. In that letter we advised that the date for the postponed public meeting in Chicago, Illinois would be announced soon and that comments on the Issues Paper and scoping process for environmental issues were due by November 15, 1999. The enclosed Federal Register notice, dated October 19, 1999, announces that the Chicago, Illinois meeting has been re-scheduled to December 7-8, 1999 and that the comment period has been extended to December 22, 1999. Please also note that the next scheduled meeting on the control of release of solid materials will occur November 1-2, 1999 at NRC Headquarters in Rockville, Maryland.

Three recently issued documents, Staff Requirements Memorandum - SECY-99-214, "Options for Proceeding with NRC's Efforts Regarding the Release of Solid Materials" and the transcripts for the public workshop on the Issues Paper and scoping process held in San Francisco, California and Atlanta, Georgia are available at the Office of State Programs' Web Site (<http://www.hsr.doe.gov/nrc/home.html>). Click on "What's New" to locate the documents.

Please direct any questions to Anthony M. Huffert, Telephone: (301) 415-6416 or E-mail: [AMH1@nrc.gov](mailto:AMH1@nrc.gov), Office of Nuclear Material Safety and Safeguards, NRC, Washington, DC 20555-0001.

  
Frederick C. Combs, Deputy Director  
Office of State Programs

Enclosure:  
As stated

NUCLEAR REGULATORY COMMISSION

10 CFR Part 20

Control of Release of Solid Materials at Licensed Facilities: Notice of Extension of Public Comment Period on Issues Paper

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of extension of public comment period on Issues Paper.

-----  
SUMMARY: The Nuclear Regulatory Commission (NRC) is conducting an early and ongoing enhanced participatory process to consider issues and possible alternatives related to setting specific requirements on control of releases of solid materials. The NRC previously announced that the public comment period to provide early input on the issues and alternatives would end on November 15, 1999, however it is extending the comment period to December 22, 1999.

FOR FURTHER INFORMATION CONTACT: Frank Cardile; e-mail [fpc@nrc.gov](mailto:fpc@nrc.gov), telephone: (301) 415-6185; Office of Nuclear Material Safety and Safeguards, USNRC, Washington DC 20555-0001.

SUPPLEMENTARY INFORMATION: The NRC previously announced in a Federal Register Notice (FRN) dated June 30, 1999 (64 FR 35090), that it is considering issues and possible alternatives related to setting specific requirements on control of releases of solid materials. The FRN included an Issues Paper which describes issues and possible alternatives related to controlling the release of solid materials. The FRN also indicated that NRC is supplementing its standard rulemaking process by conducting enhanced public participatory activities to solicit early and ongoing public input, including whether the NRC should proceed with a rulemaking. This enhanced process includes four facilitated public meetings which were originally scheduled from August through November 1999, in Chicago, San Francisco, Atlanta, and Washington, DC. It also included a request in the FRN for written or electronic comments on the Issues Paper to be submitted by November 15, 1999.

The first public meeting planned was to be held in Chicago, Illinois, on August 4 and 5, 1999. However the NRC decided to postpone the Chicago meeting and reschedule it because several stakeholder groups indicated that the short time frame between publication of the June 30, 1999, FRN and the August 4-5 meeting did not allow for adequate preparation and participation. The postponed meeting has been rescheduled for December 7-8, 8:30 am-5:00 pm, in Chicago, IL, at the Palmer House Hilton, 17 East Monroe Street.

To coincide with the rescheduling of the Chicago meeting, the NRC is extending the period for submittal of written and electronic comments until December 22, 1999.

Dated at Rockville, Maryland, this 13th day of October 1999.

For the Nuclear Regulatory Commission.

Catherine Haney, Acting Chief, Rulemaking and Guidance Branch, Division of Industrial and Medical Nuclear Safety, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 99-27208 Filed 10-18-99; 8:45 am]

BILLING CODE 7590-01-P

UNRESTRICTED RELEASE CRITERIA  
(as of September 1993)

STATE	AEA	NORM	SOIL
Alabama	NRC Criteria	No criteria	Texas Criteria (see TX)
Arizona	NRC Criteria - Regulatory Guide 1.86	Background by license condition	Arizona Regs <sup>1</sup> - equivalent to the 10 CFR Part 20 water limits converted to pCi/gm + <10 $\mu$ R/hr at 1 meter
Arkansas	Arkansas Regs - equivalent to the 10 CFR Part 20 H <sub>2</sub> O limits converted to $\mu$ Ci/gm	Arkansas Regs-5/15 <sup>2</sup>	Arkansas Regs - as appropriate for AEA material or NORM
California	Background or dose that results in less than $1 \times 10^{-4}$ lifetime cancer risk (CA Proposition 65 limits)	CRCPD Criteria 5/15	old Part 20 H <sub>2</sub> O limits converted to pCi/gm
Colorado	NRC Criteria Regulatory Guide 1.86 + EPA's Uranium Mill Criteria at 40 CFR 192.12 (5/15) for uranium mills.	No Criteria	EPA's Uranium Mill Criteria (5/15) for Ra-226 or perform a risk assessment
Florida	NRC Criteria Regulatory Guide 1.86	No Criteria	Case-by-case evaluation
Georgia	NRC Criteria Regulatory Guide 1.86	CRCPD Criteria 5/15	None for AEA material
Illinois	Illinois Regs  Surface - 32 IAC 340 Appendix A - limits are similar to Reg Guide 1.86  RAM except source material - 32 IAC 330, Appendix A (exempt conc. Limits)  Source material - 5 pCi/gm of soil averaged over the first 15 below the surface and 5 pCi/gm averaged over 15 cm thick layers more than 15 cm below the surface (5/5)	Illinois Regs - radium - 5 pCi/gm of soil averaged over the first 15 cm of soil and 5 pCi/gm averaged over 15 cm thick layers more than 15 cm below the surface (5/5)	Illinois Regs as appropriate for AEA material or NORM + the exposure rate of 100 cm from the surface shall not exceed background (exposure rate criteria also apply to materials other than soil)
Iowa	NRC Criteria or modified EPA Uranium Mill Criteria (.e.g., 5/5 instead of 5/15)	EPA Uranium mill criteria (5/15)	No regs except for NORM

<sup>1</sup>Arizona Radiation Regulatory Agency staff indicated that they expected to promulgate these regulations in the very near future.

<sup>2</sup>  $\leq 5$  pCi/gm of soil in the first 15 cm of soil and  $\leq 15$  pCi/gm in any layer of soil more than 15 cm below the surface.

STATE	AEA	NORM	SOIL
Kansas	NRC Criteria Regulatory guide + ALARA	CRCPD Criteria (5/15)	Case-by-case determination or CRCPD Criteria (5/15)
Kentucky	NRC Criteria Regulatory guide 1.86	Draft KY NORM regs - 5 pCi/gm or less	Site specific evaluation based on 100 mrem/yr + ALARA
Louisiana	NRC Criteria Regulatory guide 1.86 + <10mrem/yr	LA regs for land contaminated with Ra-226 or Ra-228 with radon emanation rates > 20 pCi/hr 5/15: if < 20 pCi/hr, 30 pCi/gm averaged over a maximum depth of 15 cm	No criteria
Maine	NRC Criteria	CRCPD and EPA Uranium mill criteria (5/15)	CRCPD criteria (5/15)
Maryland	NRC Criteria Regulatory guide 1.86	Background	Any NRC Criteria + ALARA
Mississippi	NRC Criteria	< 5 pCi/gm and restrictions on Radon flux rate	Miss Regs - equivalent to the 10 CFR Part 20 H <sub>2</sub> O limits converted to $\mu$ Ci/gm + EPA Uranium Mill Criteria (5/15)
Nebraska	NRC Criteria	No criteria	Background
Nevada	Background	Background	Background
New Hampshire	NRC Criteria	No criteria	Case-by-case determination
New Mexico	NRC Criteria Regulatory guide 1.86	< 50 uR/hr including background	Background or Case-by-case determination
New York	<10 mrem/yr + ALARA excluding background	< 10 mrem/yr and ALARA excluding background	<10 mrem/yr + ALARA excluding background
North Carolina	NRC Criteria	Case by case determinations	<MDL on suitable instrument

STATE	AEA	NORM	SOIL
North Dakota	<p>North Dakota Regs - NDRHR Appendix F - similar to Regulatory guide 1.86 for surfaces</p> <p>Ram except source material - Chapter 33-10-03, Schedule A (exempt conc. limits)</p> <p>Source material - 5pCi/gm averaged over the first 15 cm below the surface and 5 pCi/gm averaged over 15 cm thick layers more than 15 cm below the surface (5/5)</p>	<p>25 uR/hr screening level, then &lt; 5 pCi/gm in any 15 cm of soil.</p> <p>Radium - Chapter 33-10-03, Schedule A (exempt concentration limits)</p>	<p>As appropriate for NORM or AEA material + the exposure rate at 100 cm from the surface shall not exceed background (exposure rate criteria also apply to materials other than soil)</p>
Oregon	NRC Criteria Regulatory guide 1.86 + ALARA, 1981 BTP, CRCPD Criteria (5/15)	Background + ALARA, 1981 BTP, CRCPD Criteria (5/15)	Background + ALARA, 1981 BTP, CRCPD Criteria (5/15)
Rhode Island	NRC Criteria	No Criteria	No Criteria
South Carolina	NRC Criteria NUREGs 0586 & 5512	Currently drafting regs	No Criteria
Tennessee	NRC Criteria Regulatory guide 1.86 + 1981 BTP	< 5 pci/gm above background and CRCPD criteria (5/15), 1981 BTP Option 1	same as NORM Criteria
Texas - TNRCC & DOH	Texas Regs Part 21 - Texas H <sub>2</sub> O water limits converted to $\mu$ Ci/gm. Limits for certain RAM are specified in Part 21	Texas Regs Part 21 for Ra-226 or Ra-228 (5/15) and Part 46 (surfaces) Reg Guide 1.86 limits for U-materials	Texas Regs - Parts 21 or 46 as appropriate for AEA material or NORM
Utah	NRC Criteria	1981 BTP, EPA Uranium mill criteria (5/15), NUREG 5512	1981 BTP, EPA's Uranium Mill Criteria (5/15), NUREG-5512
Washington	NRC & CRCPD Criteria (5/15)	Currently developing criteria	Case-by-case determination