



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

December 23, 1999

MEMORANDUM TO: William F. Kane, Director
Office of Nuclear Material Safety and Safeguards

Ellis W. Merschoff, Regional Administrator
Region IV

Stuart A. Treby, Assistant General Counsel
for Rulemaking and Fuel Cycle
Office of the General Counsel

Frank J. Congel, Director
Incidence Response Operations

FROM: Paul H. Lohaus, Director
Office of State Programs *Kathleen Schum*

SUBJECT: NRC TECHNICAL REVIEW OF FINAL FORMAL
OKLAHOMA AGREEMENT STATE APPLICATION

The Radiation Management Section, of the Oklahoma Department of Environmental Quality, plans to submit a final Agreement State application by the end of December 1999.

We plan to continue following a revised and streamlined review process for the Oklahoma final Agreement request, similar to that used for the completeness review. The results of the completeness review were sent to Oklahoma on November 19, 1999, approximately 60 days following receipt of the draft application. I want to express my appreciation to you and your staff for their assistance in the completing the review on schedule.

In anticipation of receiving the final application, I would again like to request your assistance in making your member of the review team available to complete a detailed review of the application when it is received.

Our goal would be to have the team complete a review within 60 days of receipt to determine that the Oklahoma request meets the regulatory and technical criteria for new Agreements. Under the new process, the technical review should be performed by the same team that conducted the completeness review. I would appreciate your identifying the representative from your Office who will serve on this review team by January 5, 2000. I would also appreciate your identifying the lead management contact in your Office who, if necessary, can help provide management oversight for the review.

The technical review process includes a one week meeting of the team members at a single location. Prior to the meeting, a copy of the formal application will be provided to each team member for review. The revised process includes the following:

1. Team members will have 30 days to conduct a technical review of their assigned areas. Intra-office coordination, telephone discussions and group exchange, coordinated by the Team Leader, Patricia Larkins, will take place during this time.

PDR STPRG

- The team would meet for one week to review team member findings and develop a team product (see below). We will secure a dedicated conference room for the team to conduct work and deliberations. If no significant issues are discovered, the team's product will be a negative consent Commission Paper, including a draft staff assessment and Federal Register notice. (The Commission Paper will be circulated for Office concurrence).

If significant issues are identified by the team, the product will be a letter to Oklahoma providing the team's comments on the final Agreement request.

- At the end of the week the team members will brief the Office of State Programs management on the results of the team's review of the final Agreement request.

Based on previous experience, I believe that the team should be able to complete the technical review within a 45 day schedule, allowing 1-2 weeks for Office concurrence. This assumes that no new or significant issues are indicated requiring detailed analysis or separate consultation.

The basis for both the completeness and technical review is the Commission Statement of Policy: "Criteria for Guidance of States and NRC in Discontinuance of NRC Regulatory Authority and Assumption by States through Agreement;" "Statement of Principles and Policy for the Agreement State Program" and "Policy Statement on Adequacy and Compatibility of Agreement State Programs."

The Project Manager for the Oklahoma Agreement is Patricia Larkins. Ms. Larkins will coordinate arrangements for the technical review, team meeting and preparation of the Commission paper. Her telephone number is 415-2309 and email address is PML.

Again I want to thank you for your assistance. If you have any questions, please contact me or Patricia Larkins.

cc: C. Paperiello

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2. The team would meet for one week to review team member findings and develop a team product (see below). We will secure a dedicated conference room for the team to conduct work and deliberations. If no significant issues are discovered, the team's product will be a negative consent Commission Paper, including a draft staff assessment and Federal Register notice. (The Commission Paper will be circulated for Office concurrence).

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cc: C. Paperiello