

JAN 27 2000

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

FROM: Paul H. Lohaus, Director /S/ Frederick C. Combs for
Office of State Programs

SUBJECT: REQUEST FOR LEGAL INTERPRETATION ON
JURISDICTION BASED ON FEDERAL TO STATE
LAND TRANSFER

The State of Iowa has asked us to obtain a legal interpretation regarding the need to transfer two licenses from NRC jurisdiction to the State of Iowa. Attached is an e-mail message and State of Iowa Executive Order Number Thirteen dated December 9, 1999. This order appears to recognize and accept a U.S. Department of the Army offer to retrocede exclusive legislative jurisdiction over the Iowa Army Ammunition Plant located in Middleton, Des Moines County, Iowa.

A private firm, American Ordnance LLC, is the Army's contractor for the fabrication of depleted uranium shells under a NRC source material license. This firm also possesses a byproduct material license from NRC covering gauging devices and an instrument calibration source.

Attached, for your information, are the current NRC source material and byproduct material licenses.

You may contact Lloyd Bolling of my staff at 415-2327, if you require any further information on this request.

Attachments:
As stated

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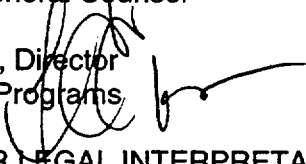


**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

WASHINGTON, D.C. 20555-0001

January 27, 2000

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