

Mr. Bruce Hirschler
 Technical Assistant
 Conference of Radiation Control
 Program Directors, Inc.
 205 Capital Avenue
 Frankfort, KY 40601

JAN 13 2000

Dear Mr. Hirschler:

As requested, we have reviewed the proposed Part P to the Suggested State Regulations for Control of Radiation (SSRCR), Contingency Planning for Response to Radioactive Material Emergencies, dated November 5, 1999. The regulations were reviewed by comparison to the equivalent NRC regulations in 10 CFR Sections 30.4, 30.32(i), 30.72 Schedule C, and 40.31(j). We have also discussed our review of the regulations with Ken Weaver from the State of Colorado on December 21, 1999.

As a result of our review, we have one comment that has been identified in the enclosure. Please note that we have limited our review to regulations required for compatibility and/or health and safety. Under our current procedure, a finding that an SSRCR 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 regulation. However, we have determined that if your proposed regulations were adopted incorporating the comments and without other significant change, they would meet the compatibility and health and safety categories established in the Office of State Programs (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 for our 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.

If you have any questions regarding the comments, the compatibility and health and safety categories, or any of the NRC regulations used in this review, please contact me or Duncan White, Regional State Agreements Officer, Region I at (610) 337-5042.

Thank you for your cooperation.

Sincerely,
 Original Signed By:
PAUL H. LOHAUS
 Paul H. Lohaus, Director
 Office of State Programs

Enclosure:
 As stated

Distribution:
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*See previous concurrence.

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OFFICE	DNMS/RI	N	OSP	E	OGC	OSP:DD	OSP:DA
NAME	DWhite		SSalomon		STreby	FCCombs	PHLohaus
DATE	12/21/99 via E-mail		12/29/99*		01/11/2000*	12/29/99*	1/15/2000

OSP FILE CODE: SP-C-7
 90



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

January 13, 2000

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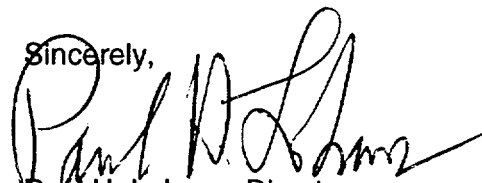
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COMMENTS ON PROPOSED PART P FOR SSR CR
AGAINST COMPATIBILITY AND HEALTH AND SAFETY CATEGORIES

<u>Category</u>	<u>State Regulation</u>	<u>NRC Regulation</u>	<u>Subject and Comments</u>
A	Section P.3.	30.4	<p>Definition of Site Area Emergency</p> <p>The definition in Part P includes (1) the protection of workers; and (2) the expectation that protective action guides would not be exceeded. The equivalent NRC definition does not include these provisions and consequently, the Part P definition is not essentially identical.</p> <p>Unless the definition is modified to be essentially identical, the definition would not meet the compatibility category.</p>

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OFFICE	DNMS/RI <i>MS</i>	N	OSP <i>MS</i>	E	OGC <i>ST</i>	OSP (D)
NAME	DWhite <i>with email</i>		SSalomon		STreby	FGDomb
DATE	12/21/99		12/29/99		1/11/99	1/21/99

no legal objection

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