

DATED: JUNE 3, 1993

Thomas W. Ortciger, Director
Illinois Department of Nuclear Safety
1035 Outer Park Drive
Springfield, IL 62704

Dear Mr. Ortciger:

Thank you for your letter dated January 13, 1993, in response to our comments following the January 1992 review of your Radiation Control Program for agreement materials. Our review found the Illinois program adequate to protect public health and safety and compatible with the regulatory program of the NRC. The finding of compatibility was contingent on NRC evaluation of three issues: (1) the regulation requiring a 1 millirem per year dose limit at the boundary of a low-level waste disposal facility; (2) certain variances in the State's rules on financial assurance for decommissioning; and (3) variances in the State's medical misadministration rule.

As you know, the 1 millirem issue is currently before the Commission. We find that additional information is needed before we make a finding on the other two issues noted above. On May 5, 1993, James Lynch, Region III State Agreements Officer, arranged for an NRC/IDNS meeting to be held to discuss these issues. We propose that the meeting be held at 1:00 p.m.(CDT) on June 16, 1993, in Springfield. A copy of a draft agenda is enclosed. If you desire any additional topics of discussion, please advise me of them. NRC involvement in the meeting will likely include Hubert Miller and James Lynch from Region III, Kathryn Winsberg and Francis Cameron from our Office of General Counsel and me, representing the Office of State Programs.

We would also propose a discussion of major 10 CFR Part 20/Ill. Adm. Code 340 differences. As the rules are scheduled to be effective on January 1, 1994, and will be an item of compatibility, this forum may resolve some of our differences early in the rulemaking process.

Sincerely,

Carlton Kammerer, Director
Office of State Programs

Thomas W. Ortciger, Director
 Illinois Department of Nuclear Safety
 1035 Outer Park Drive
 Springfield, IL 62704

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Carlton Kammerer, Director
 Office of State Programs

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DRAFT AGENDA

Opening Remarks and Introductions.....

Discussion of issues raised during 1992 Review.....

- A. Status of 1 millirem issue
- B. Illinois Rules on Decommissioning (Reclaiming)
 - 1. The use of the term "reclaiming" instead of "decommissioning"
 - 2. The provision for the exemption of all educational institutions, nuclear pharmacies, and medical institutions
- C. Illinois Rules on Medical Misadministration (Reportable Event)
 - 1. The use of the term "reportable event" instead of "misadministration"
 - 2. The inclusion of "wrong route of administration" in definition of "reportable event" (misadministration)
 - 3. The use of the terms "ascertains and confirms" instead of "discovery"
 - 4. The notification of the patient within 15 days instead of 24 hours

Discussion of Illinois Proposed Equivalent of 10 CFR Part 20
(Parts 310 and 340)

- A. Deletion of the term and the concept of "Controlled Area"
- B. The incorporation of Part 20 Agencies A, B, and C by reference
- C. Dose to Embryo/Fetus 20.1208/340.280
- D. Dose Limits for Individual Members of the Public 20.1301/340.310
- E. Posting Requirements 20.1902/340.920
- F. Procedures for receiving and opening packages 20.1906/340.960
- G. Disposal of Specific Wastes 20.2005/340.1050
- H. Definition of the term "Occupational Exposure" 20.1003/310.20