

(SP-98-001, January 1998, Program, SSD New Mexico)

DATED: JANUARY 9, 1998;

SIGNED BY: RICHARD L. BANGART

ALL AGREEMENT STATES
OHIO, OKLAHOMA, PENNSYLVANIA

TRANSMITTAL OF STATE AGREEMENTS PROGRAM INFORMATION (SP-98-001)

Your attention is invited to the enclosed correspondence which contains:

INCIDENT AND EVENT INFORMATION.....

PROGRAM MANAGEMENT INFORMATION...xx NOTICE OF REASSUMPTION OF SEALED
SOURCE AND DEVICE EVALUATION
AUTHORITY IN STATE OF NEW MEXICO

TRAINING COURSE INFORMATION.....

TECHNICAL INFORMATION.....

OTHER INFORMATION.....

Supplementary information: This is to inform you that effective January 1, 1998, the U. S. Nuclear Regulatory Commission (NRC) reassumed regulatory authority for sealed source and device evaluations in the Agreement State of New Mexico in response to a request from the State to relinquish that authority. For additional information see the enclosed Federal Register Notice, Vol. 62. No. 244, p. 66702.

If you have questions regarding this correspondence, please contact the individual named below:

POINT OF CONTACT: Cardelia Maupin
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Richard L. Bangart, Director
Office of State Programs

Enclosure:
As stated

From the Federal Register Online via GPO Access [wais.access.gpo.gov]
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NUCLEAR REGULATORY COMMISSION

State of New Mexico Relinquishment of Sealed Source and Device Evaluation and Approval Authority and Reassumption by the Commission

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of reassumption of sealed source and device evaluation and approval authority from the State of New Mexico.

SUMMARY: Notice is hereby given that effective January 1, 1998, the Nuclear Regulatory Commission will reassume regulatory authority for sealed source and device evaluations and approvals in the Agreement State of New Mexico in response to a request from the Governor of the State of New Mexico to relinquish this authority.

EFFECTIVE DATE: January 1, 1998.

FOR FURTHER INFORMATION CONTACT: Ms. Cardelia H. Maupin, Senior Project Manager, Office of State Programs, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone (301) 415-2312, Internet: CHM@NRC.GOV.

SUPPLEMENTARY INFORMATION: Currently, the State of New Mexico has an Agreement with the Nuclear Regulatory Commission (NRC) which grants the State authority to regulate specific categories of radioactive materials formerly regulated by the NRC. This Agreement was entered into on May 1, 1974, pursuant to Section 274b of the Atomic Energy Act of 1954, as amended.

Recently, the NRC received a letter from New Mexico Governor Gary E. Johnson (September 8, 1997) requesting relinquishment of the State's authority to evaluate and approve sealed source and devices, and assumption of this authority by NRC. The requested action would involve reassertion of regulatory authority by NRC over activities currently regulated by New Mexico pursuant to its Agreement with NRC. The Governor of New Mexico noted there are two manufacturers in the State and there has been no sealed source and device evaluations conducted since 1988. Governor Johnson indicated that it would not be cost effective to fund and maintain staff to conduct sealed source and device evaluations.

The Commission has agreed to the request and has notified New Mexico that effective January 1, 1998, the NRC will reassume authority to evaluate and approve sealed source and device applications within the State of New Mexico. The State of New Mexico will retain authority to regulate the manufacture and use of sealed sources and devices within the State in accordance with its Section 274b Agreement with the NRC.

Dated at Rockville, Maryland this 12th day of December, 1997.

For the Nuclear Regulatory Commission. John C. Hoyle,
Secretary of the Commission.

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