

EDO Principal Correspondence Control

FROM: DUE: / /

EDO CONTROL: G20060965
DOC DT: 11/09/06
FINAL REPLY:

Governor Edward G. Rendell
Commonwealth of Pennsylvania

TO:

Chairman Klein

FOR SIGNATURE OF :

** GRN **

CRC NO: 06-0595

DESC:

Request Agreement Between NRC and the
Commonwealth of Pennsylvania

ROUTING:

Reyes
Virgilio
Kane
Silber
Johnson
Cyr/Burns
Collins, RI

DATE: 11/28/06

ASSIGNED TO:

CONTACT:

FSME

Miller

SPECIAL INSTRUCTIONS OR REMARKS:

Enclosure sent directly to FSME per SECY. FSME
will place enclosure in ADAMS (reference OEDO and
SECY control numbers - G20060965/LTR-06-0595).

Template: SECY-017

E-RIDS: SECY-01

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Nov 28, 2006 10:03

PAPER NUMBER: LTR-06-0595 **LOGGING DATE:** 11/27/2006
ACTION OFFICE: EDO

AUTHOR: Edward Rendell
AFFILIATION: PA-GOV
ADDRESSEE: Dale Klein
SUBJECT: Request agreement be established between the NRC and the Commonwealth of PA

ACTION: Appropriate
DISTRIBUTION: RF

LETTER DATE: 11/09/2006
ACKNOWLEDGED No
SPECIAL HANDLING:

NOTES: FSM will ack receipt ...Kevin Hsueh x2598 has enclosures
and will place in ADAMS

FILE LOCATION: ADAMS

DATE DUE: **DATE SIGNED:**

EDO --G20060965



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF THE GOVERNOR
HARRISBURG

THE GOVERNOR

November 9, 2006

Mr. Dale E. Klein, Ph.D., Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Klein:

I am writing to formally request that an agreement be established between the United States Nuclear Regulatory Commission (NRC) and the Commonwealth of Pennsylvania as authorized by Section 274 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. § 2021, and Section 201 of the Pennsylvania Radiation Protection Act, Act of July 10, 1984, P.L. 688, No. 147, 35 P.S. § 7110.201. Under this agreement, the Commission will discontinue and the Commonwealth of Pennsylvania will assume regulatory authority for certain radioactive materials now under federal jurisdiction. As provided by Section 301 of the Pennsylvania Radiation Protection Act, 35 P.S. § 7110.301, the Department of Environmental Protection is the agency responsible for implementation of the agreement. The specific authority requested is for the following:

- A. Byproduct materials as defined in Section 11e.(1) of the Act,
- B. Byproduct materials as defined in Section 11e.(3) of the Act;
- C. Byproduct materials as defined in Section 11e.(4) of the Act;
- D. Source materials;
- E. Special nuclear materials in quantities not sufficient to form a critical mass; and
- F. Land disposal of all waste byproduct, source, and special nuclear materials covered by the Agreement.

I hereby certify, in accordance with Section 274(d)(1) of the Atomic Energy Act, 42 U.S.C. § 2021(d)(1), that the Commonwealth of Pennsylvania desires to assume regulatory responsibility for such materials and that the Commonwealth of Pennsylvania has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the Commonwealth covered by this proposed agreement. Enclosed is information describing Pennsylvania's radiation control program and regulatory capabilities, copies of our radiation control laws, and other agreement-state application materials required by NRC guidelines and procedures. The contact person for the agreement request is Mr. David J. Allard, Director, Bureau of Radiation Protection, Pennsylvania Department of Environmental Protection. Mr. Allard can be reached by e-mail at djallard@state.pa.us or by telephone at 717-787-2480.

Dale Klein
Page 2

Our target date to become an Agreement State is October 1, 2007, and we would appreciate your expeditious consideration of this proposed Agreement to meet the schedule.

Sincerely,

A handwritten signature in black ink that reads "Edward G. Rendell". The signature is written in a cursive style with a large initial "E".

Edward G. Rendell
Governor

Enclosure

cc:

Kathleen A. McGinty, Secretary, Pennsylvania Department of Environmental Protection
David J. Allard, Director, Bureau of Radiation Protection, Pennsylvania Department of Environmental Protection