

January 9, 2007

The Honorable Edward G. Rendell
Governor
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Dear Governor Rendell:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of November 9, 2006, in which you request an agreement between the NRC and the Commonwealth of Pennsylvania pursuant to Section 274b of the Atomic Energy Act of 1954, as amended (Act). If approved by the Commission, Pennsylvania would assume regulatory authority over the acquisition, possession, use, transfer, and disposal of source material, byproduct material as defined in Section 11e.(1) of the Act, byproduct material as defined in Section 11e.(3) of the Act, byproduct material as defined in Section 11e.(4) of the Act, and special nuclear material in quantities not sufficient to form a critical mass. The regulatory authority to be assumed would also include land disposal of all waste byproduct, source, and special nuclear materials covered by the agreement.

As required by the Act, the NRC staff is conducting an assessment of the compatibility of the Pennsylvania program with the NRC's program and the adequacy of Pennsylvania's program to protect public health and safety with respect to the materials covered by the proposed agreement. Once approved by the Commission, the NRC will publish the proposed agreement and a summary of the assessment in the *Federal Register* for public comment. The Act requires that the proposed agreement be published once each week for four consecutive weeks. A press release concerning your request will also be issued at that time. After the expiration of the comment period, the Commission will consider any comments received and make a final decision on your request. We will promptly inform you of our decision. As we complete the review of your request and the public comment process, the NRC staff will coordinate with Pennsylvania staff to finalize the schedule for the effective date of the future agreement.

I want to assure you that the NRC staff is working diligently to complete its review in an expeditious manner. We are pleased with your continued interest in becoming an Agreement State and look forward to the continued excellent relationship we have enjoyed in the past.

Sincerely,

/RA/

Dale E. Klein