

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

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ACTION OFFICE: EDO
AUTHOR: Gov. Scott McCallum
AFFILIATION: WI-GOV
ADDRESSEE: Richard Meserve
SUBJECT: Request an agreement between the U.S. NRC and the State of Wisconsin
ACTION: Information
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SCOTT McCALLUM

**Governor
State of Wisconsin**

August 21, 2002

The Honorable Richard A. Meserve
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairman Meserve:

This letter is to formally request an agreement between the U.S. Nuclear Regulatory Commission and the State of Wisconsin, as authorized under Section 274b of the Atomic Energy Act of 1954, as amended, and Wisconsin Statutes, Section 254.335(1), under which the Commission will discontinue and the State of Wisconsin will assume certain regulatory authority for radioactive materials now under federal jurisdiction. The specific authority request at this time is for all the following:

- A. Byproduct material as defined in Section 11e.(1) of the Act;
- B. Source material;
- C. Special nuclear material in quantities not sufficient to form a critical mass.

I certify the State of Wisconsin desires to assume regulatory responsibility for such materials, and the State of has a program for the control of radiation hazards adequate to protect the public health and safety with respect to materials within the State covered by this proposed agreement. In support of this proposal, I am submitting information describing the State's radiation control program and regulatory capabilities and a copy of the State's radiation control statutes and rules.

At this time, the State does not wish to assume regulatory authority over uranium milling activities, licensing of the land disposal of low-level radioactive waste or the evaluation of radiation safety information on sealed sources or devices containing byproduct, source or special nuclear material and the registration of the sealed sources or devices for distribution. However, the State reserves the right to apply at a future date to the Commission for an amended agreement to assume authority in these areas.

I would like the Agreement to become effective by July 1, 2003. I would be pleased to have you come to Madison for a formal Agreement signing and can coordinate this activity as the signing date approaches.

I look forward to this Agreement and the transfer of regulatory authority to the State of Wisconsin.

Sincerely,

A handwritten signature in black ink that reads "Scott McCallum".

Scott McCallum
Governor

SM/lmh